

## **WILDLAND FIRE IMPACTS IN 2003 AND WILDFIRE PREPAREDNESS IN 2004**

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### **HEARING BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE ONE HUNDRED EIGHTH CONGRESS SECOND SESSION**

TO

GAIN AN UNDERSTANDING OF THE IMPACT AND COST OF LAST YEAR'S FIRES AND THEN LOOK FORWARD TO THE POTENTIAL 2004 FIRE SEASON. THE HEARING WILL GIVE ALL COMMITTEE MEMBERS A SOLID UNDERSTANDING OF THE PROBLEMS FACED LAST YEAR AND WHAT PROBLEMS THE AGENCIES AND THE LAND THEY OVERSEE MAY FACE THIS NEXT SEASON, INCLUDING AERIAL FIRE FIGHTING ASSETS AND CREW, AND OVERHEAD AVAILABILITY

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## **WILDLAND FIRE IMPACTS IN 2003 AND WILDFIRE PREPAREDNESS IN 2004**

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**TUESDAY, MAY 11, 2004**

**U.S. SENATE,  
COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
*Washington, DC.***

The subcommittee met, pursuant to notice, at 10:08 a.m. in room SD-366, Dirksen Senate Office Building, Hon. Pete Domenici, chairman, presiding.

### **OPENING STATEMENT OF HON. PETE DOMENICI, U.S. SENATOR FROM NEW MEXICO**

The CHAIRMAN. The hearing will come to order. First of all, let me apologize for being late. And good morning. It's my pleasure to welcome the Assistant Secretary of Policy Management and Budget for the Department of the Interior, Lynn Scarlett, and Under Secretary for Natural Resources for the Department of Agriculture, Mark Rey.

We are here today to review the 2003 fire season and the impact of those fires on the environment and to examine preparedness for the 2004 fire season. Along with learning what fire conditions we can expect this year, I think we're all interested in learning more about three areas. One, we want to better understand how it is, in a year when we had only 63,000 fires, the smallest number of fires in a year since 1922, and only burned 3.9 million acres—I shouldn't say only, but I guess that's relatively speaking—about a million acres less than a 10-year average, that the Agency managed to expend \$1.2 billion on fire suppression. I want to know how the agencies are going to react to the recent National Transportation Safety Board finding on heavy slurry bombers and what that means for this year's fire fighting efforts and what it means for the long-term. I understand some of the Senators who are here are particularly interested in that.

I see that over 50 percent of your Healthy Forest Restoration Act work this year will be accomplished through prescribed burns, most of which will occur in the Southeast United States and less than 20 percent will be accomplished through Healthy Forest Restoration projects that mechanically remove fuels. I want to be assured that this ratio will be reversed in 2005.

We want to ask the witnesses to summarize their statements. Due to the importance of this hearing I've allotted each witness 15 minutes to testify. I ask each of you to respect that time limit. Each member will then be recognized for purposes of statements

and/or questions for five minutes each. I hope this will allow all members an opportunity for dialogue with the witnesses.

Senator Bingaman.

[The prepared statement of Senator Cantwell follows:]

PREPARED STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Mr. Chairman, thank you for holding this important hearing today on the outlook for the 2004 fire season. We in Washington state are very concerned about what appears to be yet another year of devastating drought throughout the West, and the hazards this could pose in terms of increased fire risk and threats to public safety.

As always, I believe there are two fundamental principles that should guide our efforts here. First, we need to ensure adequate resources for firefighting activities. We must make sure that we do not put federal agencies in the position where they must borrow from other accounts to pay emergency costs. Forcing these agencies on an annual basis to engage in Enron-style accounting practices to pay for firefighting only continues the vicious cycle in which they are unable to complete the work that will help maintain the health of our public lands, while simultaneously detracting from these agencies many, multi-faceted and important missions.

Second, we need to focus these resources on the Wildland Urban Interface. That is, we should be focusing federal money and efforts on the areas that pose the most immediate danger to our nation's rural communities. I believe that's simply a matter of common-sense.

However, Mr. Chairman, I want to focus the majority of my comments today on yet another topic which I hope my colleagues will pay close attention to as the 2004 fire season approaches. That's the issue of wildland firefighter safety. Many of my colleagues on this Committee are from the West and are probably aware of the fact that every summer, we send thousands of our constituents—many of them brave young men and women, college students on summer break into harm's way to protect our nation's rural communities and public lands. These men and women serve our nation bravely. Since 1910, more than 900 wildland firefighters have lost their lives in the line of duty. According to the U.S. Forest Service, a total of 30 firefighters across this nation perished in the line of duty last year.

These firefighters represented a mix of federal and state employees, volunteers and independent contractors. And they lost their lives for an array of reasons. We all realize that fighting fires on our nation's public lands is an inherently dangerous business. But what we cannot and must not abide are the preventable deaths losing firefighters because rules were broken, policies ignored and no one was held accountable.

A number of my colleagues will recall that, in 2001, this issue was pushed to the fore in the State of Washington, because of a horrible tragedy. On July 10, 2001, near Winthrop in Okanogan County, in the midst of the second worst drought in the history of our state, the Thirtymile fire burned out of control.

Four courageous young firefighters were killed. Their names:

- Tom Craven, 30 years old;
- Karen FitzPatrick, 18;
- Jessica Johnson, 19;
- and Devin Weaver, 21.

Sadly, as subsequent investigations revealed, these young men and women did not have to die. In the words of the Forest Service's own report on the Thirtymile fire, the tragedy "could have been prevented." At that time, I said that I believe we in Congress and management within the firefighting agencies have a responsibility to ensure that no preventable tragedy like Thirtymile fire ever happened again.

I'd like to thank my colleague Senator Bingaman, the distinguished Ranking Member of the Senate Energy Committee, as well as Senator Wyden, who was then chair of the Subcommittee on Public Lands and Forests. In the wake of the Thirtymile Fire, they agreed to convene hearings on precisely what went wrong that tragic day. We heard from the grief-stricken families.

In particular, the powerful testimony of Ken Weaver—the father of one of the lost firefighters—put into focus precisely what's at stake when we send these men and women into harm's way.

Mr. Chairman, I can think of no worse tragedy that a parent to confronting the loss of a child, especially when that loss could have been prevented by better practices on the part of federal agencies.

At the Senate Energy Committee hearing, we also discussed with experts and the Forest Service itself, ways in which we could improve the agency's safety perform-

ance. And almost a year to the day after those young people lost their lives, we passed a bill—ensuring an independent review of tragic incidents such as Thirtymile that lead to unnecessary fatalities.

Based on subsequent briefings by the Forest Service, revisions to the agency's training and safety protocols, and what I've heard when I have visited with firefighters over the past two years, I do believe the courage of the Thirtymile families to stand up and demand change has had a positive impact on the safety of the young men and women who are preparing to battle blazes as wildland firefighters.

Yet, I'm deeply saddened by the fact that it's clear we haven't done nearly enough. In July 2003—two years after Thirtymile—two more firefighters perished, this time at the Cramer Fire within Idaho's Salmon-Challis National Forest. Jeff Allen and Shane Heath were killed when the fire burned over an area where they were attempting to construct a landing spot for firefighting helicopters. Certainly some 28 others lost their lives fighting wildfires last year, and we must recognize the sacrifice and grief befalling their families.

After the Thirtymile Fire, however, I told the Weavers and the Cravens, the families of Karen FitzPatrick and Jessica Johnson that I believed we owed it to their children to identify the causes and learn from the mistakes that were made in the Okanogan, to make wildland firefighting safer for those who would follow. That is why the findings associated with the Cramer Fire simply boggle my mind.

We learned at Thirtymile that all ten of the agencies' Standing Fire Orders and many of the 18 Watch Out Situations—the most basic safety rules—were violated or disregarded. The same thing happened at Cramer, where Heath and Allen lost their lives two years later.

After the Thirtymile Fire, the Occupational Safety and Health Administration (OSHA) conducted an investigation and levied against the Forest Service five citations for Serious and Willful violations of safety rules. It was eerie, then, when just this March OSHA concluded its investigation of Cramer. The result: another five OSHA citations, for Serious, Willful and Repeat violations. Reading through the list of causal and contributing factors for Cramer and putting them next to those associated with the Thirtymile fire, my colleagues would be struck by the many disturbing similarities. Even more haunting are the parallels between these lists and the factors cited in the investigation of 1994's South Canyon Fire on Storm King Mountain in Colorado. It's been 10 years since those 14 firefighters lost their lives on Storm King Mountain—and yet, the same mistakes are being made over and over again.

Mr. Chairman, I don't believe that's acceptable. The firefighters we send into harm's way this year—and the ones we've already lost deserve better.

Training, leadership and management problems have been cited in all of the incidents I've discussed. Frankly, I have believed since the Thirtymile tragedy that the Forest Service has on its hands a cultural problem. What can we do, from the legislative branch, to provide this agency with enough motivation to change? I believe the first step we can take is to equip ourselves with improved oversight tools, so these agencies know that Congress is paying attention. Today I'm introducing legislation—the Wildland Firefighter Safety Act of 2004—that would do just that.

I believe this is a modest yet important proposal. It was already passed once by the Senate, as an amendment to last year's Healthy Forests legislation. However, I was disappointed that it was not included in the conference version of the bill.

But it is absolutely clear to me—particularly in light of OSHA's review of the Cramer Fire—that these provisions are needed now more than ever.

First, the Wildland Firefighter Safety Act of 2004 will require the Secretaries of Agriculture and Interior to track the funds the agencies expend for firefighter safety and training.

Today, these sums are lumped into the agencies' "wildfire preparedness" account. But as I have discussed with various officials in hearings before the Senate Energy and Natural Resources Committee, it is difficult for Congress to play its rightful oversight role—ensuring that these programs are funded in times of wildfire emergency, and measuring the agencies' commitment to these programs over time—without a separate break-down of these funds.

Second, it will require the Secretaries to report to Congress annually on the implementation and effectiveness of its safety and training programs.

Mr. Chairman, I assure my colleagues who have not spent time dwelling on this issue, that the maze of policy statements, management directives and curricula changes associated with federal firefighter training is dizzying and complicated.

The agencies have a responsibility to continually revise their policies in the face of new science and lessons learned on the fire line. Meanwhile, Congress has the responsibility to ensure needed reforms are implemented. As such, I believe that Congress and the agencies alike would benefit from an annual check-in on these

programs. I would also hope that this would serve as a vehicle for an ongoing and healthy dialogue between the Senate and agencies on these issues.

Third, my bill would stipulate that federal contracts with private firefighting crews require training consistent with the training of federal wildland firefighters. It would also direct those agencies to monitor compliance with this requirement. This is important not just for the private contractor employees' themselves—but for the federal, state and tribal employees who stand shoulder-to-shoulder with them on the fire line.

Mr. Chairman, this is actually quite a complex issue about which many of us are just beginning to learn. With the severity of fire seasons throughout the country over the past two years—and notwithstanding the Clinton Administration's efforts to hire a significant number of new firefighters as part of the National Fire Plan—the number of private contract crews hired by the agencies to help with fire suppression has tripled since 1998. According to Oregon Department of Forestry estimates, the number of contract crews at work has grown from 88 in 1998 to 300 this year—with 95 percent based in the Pacific Northwest.

In general, these contract crews have grown up in former timber communities and provide important jobs especially given the fact the agencies themselves do not at this juncture have the resources to fight the fires entirely on their own.

And many of these contractors have been in operation for a decade or more and boast stellar safety records.

Nevertheless, as the number of—and need for—contractors has grown, there are more and more tales of unscrupulous employers that take advantage of workers and skirt training and safety requirements. This is a growing concern for U.S. Forest Service employees and state officials. This summer, the *Seattle Times* wrote a detailed feature on the issue, quoting internal Forest Service memos as well as evidence from the field.

Among the contractor practices cited in the article:

- Breaking safety rules and failing to warn other crews on the fire line;
- Falsifying or forging firefighting credentials and ignoring training requirements;
- Hiring illegal immigrants that cannot understand fire line commands—and committing various labor abuses;
- And rotating a single crew from fire to fire for 50 straight days—while federal firefighters are not allowed to work more than 14 or 21 days in a row.

The article quoted from a November 2002 memo written by Joseph Ferguson, a deputy incident commander for the Forest Service: "If we don't improve the quality and accountability of this program, we are going to kill a bunch of firefighters . . . Although there were two or three good to excellent crews on each fire, that was offset by 20 to 30 that were hardly worth having," Ferguson added. "It was apparent that training for most of these crews had been done poorly or not at all."

Paul Broyles, who heads a safety committee for the National Interagency Fire Center added that private crews he has seen have varied from "fantastic to a hell[ck] of a lot less than good and some were real safety concerns." He noted that while state government and feds were trying to crack down on violations associated with documentation, "the assumption is, where there's one problem, there's probably more."

The Wildland Firefighter Safety Act of 2004 is a modest beginning in addressing the challenges posed by integrating private and federal contract crews—and doing it in a manner that maximizes everyone's safety on the fire line.

I understand that the federal and state agencies are already attempting to push contractors in this direction—and this provision will bolster that momentum.

And so, Mr. Chairman, I hope my colleagues on this Committee will support this simple legislation. Ultimately, the safety of our federal firefighters is a critical component of how well prepared our agencies are to deal with the threat of catastrophic wildfire.

Congress owes it to the families of those brave firefighters we send into harm's way to provide oversight of these safety and training programs.

We owe it to our federal wildland firefighters, their families and their state partners—and to future wildland firefighters.

My bill will provide this body with the additional tools it needs to do the job. I thank the Chairman, and look forward to the testimony of today's witnesses.

**OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S.  
SENATOR FROM NEW MEXICO**

Senator BINGAMAN. Thank you very much, Mr. Chairman, for having the hearing. Obviously it's a very important issue to all of us, particularly those of us from States that are reflected on this map as expecting enormous problems with fire again this year. I wanted to just highlight a couple of issues. I'm afraid that we'll be facing widespread borrowing again from important programs at the Forest Service and the Department of the Interior in order to pay for fire suppression costs. This is something we've seen each year for many years now. The agencies have borrowed nearly \$3 billion since 1999 from various accounts, and it's my opinion that that borrowing results in poor management of public lands and soured relations with the public in these States that we represent. Senator Nickles deserves credit for his leadership on the Budget Committee in that he made provision there, as I understand it, for a little more agile response in Congress. I think it was \$500 million that he set aside in the budget effort. Now, that may or may not ever be enacted, as you're well aware.

The other, I guess, the issue that's at the bottom of this is the question of whether or not we are getting realistic budget submissions from the Administration. We're in a period of long-term drought in the West; it doesn't seem as though the budget submissions reflect that. I think we need to have more accurate and realistic budgets for fire suppression.

The second issue that I wanted to ask a few questions about when we get through with the statements relates to the whole issue of natural fires and the extent to which we have policies in place to accomplish what needs to be accomplished by managing naturally ignited fires. I think there's an awful lot that we are spending on prescribed fires; there's a lot we're spending on putting out fires; there's a lot we're spending on mechanical treatment of different areas to reduce fuel loads. I really wonder, though, if we've given enough attention to the usefulness of managing natural fires for resource benefits. So I'll ask questions about that when the time is appropriate.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much. Well, I was going to proceed, as I indicated, with the witnesses having 15 minutes each. But I have a personal request from Senator Wyden.

**OPENING STATEMENT OF HON. RON WYDEN, U.S. SENATOR  
FROM OREGON**

Senator WYDEN. Just very briefly, Mr. Chairman, for unanimous consent request and then I'll put everything off for the questions. I'd just like to put into the record at this point the section of the Healthy Forest Restoration Act that stipulates that \$760 million would be spent in each fiscal year to carry out the Hazardous Fuels Reduction Program. And then an article from the Ben Bulletin of a few days ago quoting the Forest Service saying that only \$417 million would be spent in the upcoming year for hazardous fuels

reduction projects.\* I authored the amendment in the Budget Committee to increase the funds; it was accepted unanimously. I'll have some questions about that but I would like to put into the record those two documents which highlight in this budget, according to the Forest Service, that there is a shortfall of more than \$300 million in terms of what we did on a bipartisan basis with your support, Mr. Chairman. Thank you.

The CHAIRMAN. Thank you. We're going to proceed. Who wants to go first?

**OPENING STATEMENT OF P. LYNN SCARLETT, ASSISTANT SECRETARY, POLICY, MANAGEMENT AND BUDGET, DEPARTMENT OF THE INTERIOR**

Ms. SCARLETT. Mr. Chairman, I will begin then. Thank you.

Mr. Chairman and members of the committee, thank you for this opportunity to discuss our preparations for the 2004 fire season and our long-term efforts to restore fire-adapted ecosystems and protect communities. Mark Rey will discuss the fire season outlook; I will focus on our wildland fire and forest restoration management efforts and preparedness.

The effects of catastrophic wildfires and the efforts to reduce hazardous fuels in forests and our rangelands across the Nation, as we all know, continue to be at the forefront of local and national interest. Nationwide, the 2003 fire season had 63,000 fires that burned over four million acres. Of this total, 18,000 fires burned 2.6 million acres on Federal lands. Ninety-eight percent of all fires scheduled for suppression were stopped during initial attack. In 2003, while the number of acres burned nationally was below the 10-year average, California suffered its worst wild land fire season in modern history. Over 3,600 homes were lost and 24 people died, including one fire fighter.

Nationwide, the build up of fuel and other factors such as long-term drought have led to increasing concerns about the overall condition of our forests and rangelands. The President's Healthy Forests Initiative and the bipartisan Healthy Forest Restoration Act are helping us more effectively implement fuels reduction projects, thereby reducing risks to communities and improving the environment. In 2003, the Forest Service and the Department of the Interior together treated 2.7 million acres for hazardous fuels. About 1.6 million of those acres, or nearly 60 percent, were treated in the wildland-urban interface. Of the total acres, over 450 thousand acres received mechanical treatments. This fiscal year, the Department of the Interior and the Forest Service jointly plan to treat an additional 2.7 million acres of hazardous fuels. These treatments are making a difference. For example, two treatments, one a prescribed burn and the other a mechanical treatment, each significantly altered the behavior of Colorado's Hayman Fire in 2002. The prescribed burn mitigated the spread of the Hayman Fire even though the fire approached the treated area, driven by winds exceeding 30 miles per hour. In California, when the Cone Fire reached an area where trees had been thinned and surface fuels

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\*The items submitted by Senator Wyden have been retained in committee files.

had been treated, the fire dropped from a crown fire to an easily controlled surface fire in a matter of a few feet.

Through the use of stewardship contracting authority provided to us by the Congress, we are enhancing our ability to undertake fuels reduction projects while generating economic benefit for communities. This year the Bureau of Land Management has planned 35 projects using stewardship contracting; another 80 projects are proposed for 2005.

Mr. Chairman and members of the committee, our management of forest and rangelands to reduce the risk of catastrophic fires present significant challenges. These challenges do require close co-operation among Federal agencies, cooperation with communities, and careful management of fire fighting resources. Addressing these challenges, the Secretaries of Agriculture and the Interior established the Wildland Fire Leadership Council to coordinate wildland fire management policies under the 10-year implementation plan and to monitor its accomplishment. The Council includes State and local governments, as well as tribal representatives dedicated to achieving consistent implementation of goals, actions and policies of the National Fire Plan and the Federal Wildland Fire Management Policy. In its first year of adoption or operation, the Council adopted field guidance to establish compatible, broad, national standards for identifying communities at risk. The Council approved a policy for emergency stabilization and rehabilitation of burned areas that ensures interagency consistency in the timing and funding of treatments and monitoring. And the Council adopted a common budget structure for wildland fire management appropriations to better enable us to review accountability.

In addition to agency cooperation through the Wildland Fire Leadership Council, we are enhancing cooperation with private land owners and the local fire fighting community. We have, for the first time ever, signed a cooperative agreement with the International Association of Fire Chiefs to work with them on training and other common practices. We are providing help to homeowners through grant assistance to Firewise programs, through which communities and land owners undertake fuels reductions.

As you are well aware, restoring forest and rangeland health, and suppressing wildland fires, are major undertakings. In 2003, the Forest Service expended just over \$1 billion to suppress wildland fires. The Department of the Interior suppression costs came to over \$300 million. Federal wildfire suppression costs for fiscal year 2003 were 50 percent above the average costs over the last ten years, as major fires burned in wildland-urban interface areas and in locations with extremely heavy fuel loads, both factors that contribute to high costs in suppression. Through preparedness and better pre-positioning of resources, I'm pleased to say that initial attack success is around 98 percent.

With the high costs of fire fighting, both agencies are carefully monitoring costs. Last year we undertook large fire cost reviews, which began in 2003 and will continue in 2004. These reviews provide wildland fire management leaders with detailed, on the ground information with which to make more cost efficient resource decisions while still focusing on firefighter safety and community protection. The Wildland Fire Leadership Council has also re-

sponded to key findings from these reviews, including strengthening business oversight and financial management on fire incident command teams, also developing incident cost share agreement guidelines so agreements can be in place prior to the start of the local fire season, and improving the use of electronic acquisition systems, and finally resolving problems with the wildland fire situation analysis process to improve timeliness and practicality for field use.

In addition, this year the Wildland Fire Leadership Council also convened a high level panel comprising senior Federal, State, tribal and local representatives and incident team members to look at the relationship of fire management and land management decisions and their bearing on fire suppression costs. The panel is expected to present recommendations to the Wildland Fire Leadership Council over the next several months on cost controls, and give us a better understanding of what is driving the costs that we are experiencing.

I will underscore that the safety of firefighters and of communities is our first priority. I know you are all aware of the recent National Transportation Safety Board report on air tankers used in firefighting. Mark Rey will report on our anticipated actions in response to this report.

We look forward to working with you in implementing the Agency's programs and would be happy to answer any questions you might have.

The CHAIRMAN. Thank you very much, Ms. Scarlett. Let's go with Mr. Rey, please.

**OPENING STATEMENT OF MARK REY, UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT, DEPARTMENT OF AGRICULTURE**

Mr. REY. Thank you, Mr. Chairman. I'm going to talk a little bit about the fire season that we see ahead of us and then also go into some detail for you about the decision we reached yesterday regarding the large, fixed wing air tankers.

While the fire season nationally is expected to be near normal in terms of the expected number of fires and acres, much of the interior west and southwest Alaska is expected to have the potential for an above normal fire season for the following reasons.

First, the combination of continuing drought and an increase of drought-stressed and insect-damaged trees and brush, has resulted in a greater potential for large wildfires in the west. A very warm March has also led to a significant reduction in Western snow packs and the snow pack in southwest Alaska has been below normal. Late March and early April storms in the southwest, particularly in New Mexico, have delayed the onset of the fire season so far. However, the Southwest is expecting a rapid escalation to critical fire potential in Arizona and western New Mexico later this month and during June. June will also be an important month in determining the fire severity in the Northwest and the northern Rockies. A hot, dry June combined with the current low snow pack would likely result in severe fire seasons for both of those areas. While dryness in the Southeast is expected to continue into the

early summer, periodic rainfall will keep the overall fire potential near normal for most of the area.

With the map that we have displayed there you can see our projections to date for what parts of the country should experience either above normal or below normal fire seasons. The green is below normal, the light red is above normal, and as you can see, many of the Western States are implicated in above normal fire situation for the balance of this year.

Now let me talk a little bit about the decision yesterday. Effective yesterday, the Forest Service and the Department of the Interior have agreed to forgo the use of large, fixed wing contracted air tankers for fire suppression for the remainder of the 2004 fire season as we evaluate the long-term options for our aviation resources. In doing so, the Departments will terminate the national 2004 air tanker contract. This decision comes in response to recommendations contained in the April 23, 2004, National Transportation Safety Board report on three previous air tanker accidents. The NTSB report stated that, quote, "It is apparent that no effective mechanism currently exists to ensure the continuing air worthiness of these firefighting aircraft." The report also concluded that the Forest Service and the Department of the Interior were responsible for ensuring the safety of firefighting aircraft.

To continue to use these contract large air tankers when no mechanism exists to ensure their air worthiness, presents an unacceptable level of risk to aviators, the firefighters on the ground and the communities we serve. Large air tankers are but one of many tools that we use to suppress wildland fires. During any year thousands of wildland fires are suppressed without the benefit of air support. We are in the process of completing a strategy for the 2004 fire season to supplement our wildland fire fighting efforts with other available aircraft. These additional aircraft assets will include the use of large helicopters and helitankers, smaller helicopters, single-engine air tankers and the military's C-130 aircraft equipped with the Modular Airborne Firefighting System, or the MAF System, as we call it. By week's end we should have put in place a strategy to backfill to make up for the assets that we've grounded as a result of yesterday's decision.

Yesterday's decision was made with considerable sadness and regret inasmuch as these tankers and their pilots have served long and well in our fire fighting effort. But looking at the NTSB report, there simply did not appear to us to be any other available options. We are confident that with the supplemental aircraft that we will be securing to replace the 33 air tankers that we grounded our fire fighting efforts will continue in 2004 unabated.

And we'd both be happy to respond to any questions that you have.

[The joint statement of Mr. Rey and Ms. Scarlett follows:]

PREPARED STATEMENT OF MARK REY, UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT, DEPARTMENT OF AGRICULTURE, AND P. LYNN SCARLETT, ASSISTANT SECRETARY FOR POLICY, MANAGEMENT AND BUDGET, DEPARTMENT OF THE INTERIOR

#### INTRODUCTION

Mr. Chairman and members of the Committee, thank you for the opportunity to meet with you today. Since the Department of the Interior and the Department of

Agriculture work closely together in fire management and in implementing the National Fire Plan, it is appropriate to use one statement to inform you on preparations for the 2004 fire season and our long term efforts to restore fire adapted ecosystems.

For much of the twentieth century, wildland fires were generally thought to be bad for the environment, for timber resources, and for communities that were impacted. As a consequence, fires were suppressed as soon as possible. The resulting lack of fire had an unintended consequence across large areas of the landscape where fire had been a frequent phenomenon. Over time, the amount and structure of shrubs and trees increased. This build up of fuel, coupled with other factors such as long term drought, has led to increasing concerns about the overall wildland condition and particularly the health of our forests and rangelands.

The President's Healthy Forests Initiative (HFI) helped us tackle our gridlock of process that was impeding our restoration of fire adapted ecosystems, including treatment of hazardous fuels. HFI resulted in the development of a number of administrative tools and included a request for congressional help to further reduce procedural barriers. On December 3, 2003, the President signed into law the Healthy Forests Restoration Act of 2003 (HFRA), giving Federal agencies additional tools needed to implement the 10-Year Comprehensive Strategy and Implementation Plan. Its passage sent a strong message of bipartisan support for reducing fuels and restoring forest health, especially in the wildland-urban interface.

The 2004 fire season is shaping up to be another challenging year. While most of the nation is anticipated to be near normal in terms of the expected number of fires and acres burned, portions of some states in the interior West is expected to have the potential for an above normal wildland fire season.

The potential for build up of fuels, recognition that long-term drought persists over much of the interior West, and an increase of drought-stressed and insect-damaged trees and brush have resulted in a greater potential for large wildfires in the West. Last week's fires in Southern California resulted from stifling heat and an abundance of dry brush. Although last year's fall wildfires in Southern California charred more than 740,000 acres, they consumed only 7% of the dying trees and dry chaparral lands that surround the local communities.

#### 2003 FIRE SEASON REVIEW

The effects of catastrophic wildfires and the efforts to reduce hazardous fuels in forests and on grasslands across this country have been at the forefront of local and national interest. Nationwide, the 2003 fire season had 63,000 fires which burned more than 4 million acres. Of this amount, 18,000 fires burned 2.6 million acres on Federal lands. Ninety-eight percent of all fires on Federal lands were stopped during initial attack.

In 2003, while the number of acres burned nationally was below the 10-year average, California suffered its worst wildland fire season in modern history. Over 3,600 homes were lost, and 24 people died, including one firefighter. The State and Federal agencies spent \$157 million to contain the fires. Sixteen people died in the floods and debris flows that followed as a result of the fires. A large portion of the damage to resources and improved property occurred on state or private lands. Santa Ana winds combined with extended drought conditions and high fuel loads led to extreme fire behavior and evacuations. October 28, 2003 had the largest acreage burned in one day with 135,851 acres. The Cedar Fire, on and adjacent to the Cleveland National Forest, burned 280,293 acres, ultimately becoming the largest fire in California recorded history. The Cedar fire burned 80,000 acres in 10 hours. These fires burned in and around wildland-urban interface areas, requiring extensive evacuations of communities, subdivisions, and ranches.

#### 2004 SEASONAL WILDLAND FIRE OUTLOOK

Weather patterns reflect a continuing drought trend through much of the West. The Southwest is the driest area of the West. Warm March temperatures have resulted in a significant reduction of Western snowpacks. Late March and April storms in the Southwest (especially in New Mexico) have delayed the onset of the fire season. However, the Southwest may experience a rapid escalation to critical fire potential in Arizona and Western New Mexico for May and June. Spring and summer are expected to be warmer than normal in the West, while dryness is expected to continue in the Southeast. Longer-term forecasts call for no significant improvement in terms of temperature relief or increased precipitation.

## HEALTHY FOREST INITITATIVE

Consistent with the belief that public land policies need to be based on common sense and common ground the Healthy Forests Initiative was introduced by the President to help reduce the risks of catastrophic wildfire to communities and the environment. The Healthy Forests Initiative implements core components of the National Fire Plan's 10-year Comprehensive Strategy and Implementation Plan. HFI improves regulatory processes to insure more timely decisions, greater efficiency, and better results in reducing the risk of catastrophic wildfires by restoring healthy, viable ecosystems to our forest and rangelands.

In May of 2002, the Secretary of the Interior, the Secretary of Agriculture, the Chair of the Council on Environmental Quality, and the Western Governor's Association met to sign an implementation plan for the *10-Year Comprehensive Strategy, A Collaborative Approach for Reducing Wildland Fire Risks to Communities and Environment*. The Strategy and Implementation Plan provides a road map for helping communities to protect themselves from the risk of wildland fire.

The Secretaries of Agriculture and the Interior established the Wildland Fire Leadership Council to coordinate wildland fire management policies under the 10-Year Plan and to monitor accomplishment. The Council is a cooperative organization that includes State and local and tribal representatives, and is dedicated to achieving consistent implementation of the goals, actions, and policies of the National Fire Plan and the Federal Wildland Fire Management Policy.

The Council has been leading the fire management agencies in eliminating inter-agency differences to ensure more seamless delivery of a coordinated fire protection program. In its first year of operation, the Council:

- adopted field guidance to establish compatible, broad, national standards for identifying communities at risk, while still allowing flexibility at the State and regional levels for risk determinations;
- approved a policy for emergency stabilization and rehabilitation of burned areas that ensures interagency consistency in the timing and funding of treatments and monitoring;
- adopted a common budget structure for wildland fire management appropriations; and,
- adopted interagency direction for the implementation of the Federal Wildland Fire Policy.

We are actively using authorities under the President's Healthy Forests Initiative that offer additional categorical exclusions to accomplish hazardous fuel reduction before and rehabilitation work after a fire. These two categorical exclusions facilitate scientifically sound, efficient, and timely planning and decision making for the treatment of hazardous fuels and rehabilitation of areas so as to reduce risks to communities and the environment caused by severe fires. These new procedures to comply with the National Environmental Policy Act allow high-priority fuels reduction and forest restoration projects identified through collaboration with state, local and tribal governments and interested parties to move forward more quickly.

The President sought, and in 2003 the Congress provided, long-term stewardship contracting authority for the Bureau of Land Management and expanded the limited authority it had previously granted to the Forest Service. Stewardship contracts or agreements allow communities, tribes, private companies and others to retain forest and rangeland products in exchange for performing services for the agencies, such as fuel reduction treatments, riparian improvements, thinning trees and removing dead wood.

The results of this strategy are starting to materialize. In FY 2003, the Forest Service and the Department of the Interior together treated more than 2.7 million acres for hazardous fuels. Of this amount, almost 1.6 million acres, or 58%, were treated in the wildland urban interface (WUI). Of the total acres, 2 million were treated by prescribed fire, more than 460,000 by mechanical treatments, and more than 210,000 by other treatments.

In addition to the planned treatments, the agencies treated an additional 719,624 acres through wildland fire use the management of naturally ignited wildland fires to accomplish specific resource management objectives, such as ecosystem maintenance and restoration.

For FY 2004, the Department of the Interior and the Forest Service plan to treat an additional 2.7 million acres of hazardous fuels. We will focus our resources to optimally mitigate fire risk by effectively reducing fuels and maintaining healthy forests and grasslands on priority projects. Forest Service research indicates that well planned treatments in key areas can successfully influence fire behavior, thus protecting many more acres than are actually treated. Two treatments, one a pre-

scribed burn and one a mechanical treatment, each significantly altered the behavior of Colorado's Hayman Fire in 2002. The Polhemus prescribed burn mitigated the spread of the Hayman Fire despite even though the fire approached the treated area driven by winds exceeding 30 mph. When the fire reached the mechanically treated area that portion of the fire was more easily suppressed. In 2002 the Cone Fire entered the Blacks Mountain Experimental Forest in northern California. When it reached an area where trees had been thinned and surface fuels had been treated, it dropped from a crown fire to an easily controlled surface fire in a matter of feet.

We continue to use the full range of options available to us to achieve our goal of restoring fire-adapted ecosystems where appropriate, through mechanical thinning, prescribed fire, wildland use fire or through other programs. For example At Oregon's 2002 Biscuit Fire, areas where thinning had been followed by prescribed burning exhibited the least burn severity of all portions of the forest that were studied.

We will also continue our effective and much-needed prescribed fire program, including our cost efficient program in the southeastern United States which maintains a vegetation regime of rapidly growing vegetation. In the Western United States we will restore fire dependent ecosystems by targeting funds towards projects that achieve this goal. To achieve more acres treated and become more efficient in the Western United States, we will continue to seek opportunities to treat these acres through programs and projects such as stewardship contracting, bio mass utilization and partnerships with other Federal agencies, tribes and local governments.

We do not anticipate that we will treat every acre of wildland forest or grassland that has a high fuel hazard. Neither the Forest Service the Department of the Interior or other Federal, state or local fire agencies can absolutely protect the growing number of homes and businesses adjacent to wildland areas. Given severe fire conditions and high home ignitability, exposure to flames and particularly firebrands can result in residential destruction. It is critical that private landowners also take steps on their own to protect their property. We are providing help to homeowners through research on adequate defensible space, educational materials and grant assistance to FIREWISE programs.

#### FIREFIGHTING COST

In FY 2003, the Forest Service expended \$1.02 billion to suppress wildfires, and the Department of the Interior's suppression costs were \$303 million. Federal wildfire suppression costs for FY 2003 were 50 percent above the average costs over the last 10 years. Initial attack success was higher than normal and both the number of fires and number of acres burned were below average. Three out of the last four fiscal years have seen Federal suppression costs exceeding \$1 billion per year.

We recognize that the cost of suppressing wildland fire is high. We need to strike a balance between the costs of suppressing fires and the need to protect property and resources. Large fire cost reviews, which began in 2003 will be continued in 2004. These reviews provide wildland fire management leaders with detailed on-the-ground cost information with which to make more cost-efficient resource decisions.

The Departments will continue to implement appropriate cost reduction actions stemming from the Large Fire Cost Reduction Action Plan and the Fire and Aviation Management Operations Action Plan). By the end of this year, each Federal agency land unit will have in place a current or compliant Fire Management Plan. We will continue to use large fire cost containment oversight teams on those incidents that meet certain size, cost, and duration criteria. We will implement those recommendations contained in reports from that will improve efficiency and reduce costs. We will focus on making improvements as identified through the PART process. Finally, the President's FY 2005 Budget includes several cost containment initiatives such as a requirement by the Forest Service to establish and use cost containment performance measures as well as actions, together with targets and milestones.

This year, the Wildland Fire Leadership Council also convened a high level panel comprised of senior State, local, Tribal and Federal representatives, and incident team members, representing a mix of on-the-ground and policy expertise, to examine cost containment issues in a broader, land management- context to integrate suppression and vegetation management. The Council has taken positive actions to respond to key findings from the reviews including:

- strengthening business oversight and financial management on fire incident command teams;
- developing incident cost-share agreement guidelines so agreements can be in place prior to start of the local fire season; and,

- resolving problems with the Wildland Fire Situation Analysis process to improve timeliness and practicality for field use.

#### SUMMARY

With the outlook for an upcoming potentially difficult fire season, the five Federal land-managing agencies and our partners at the State and local level are doing all that we can to be prepared. Safety of firefighters and communities is our first priority. With the fire adapted ecosystems of North America, we have the challenging task of reducing fuels and the vulnerability of our communities to wildfire while restoring the health of our forests and rangelands. This challenge is national and long term in scope. With your continued help, all the agencies can accomplish robust performance-based programs for the nation's forests and rangelands, and do so in full collaboration with state governments, communities, Congress and the American people. We look forward to working with you in implementing the agency's programs and would be happy to answer any questions.

#### PREPARED STATEMENT OF MARK REY ON LARGE AIR TANKER CONTRACT

Effective today, the USDA Forest Service and the Department of the Interior have agreed to forgo the use of large fixed-winged contracted airtankers for fire suppression for the remainder of the 2004 fire season as we evaluate the long-term options for aviation resources. In doing so, the Departments will terminate the national 2004 airtanker contract.

This decision comes in response to recommendations contained in the April 23, 2004 National Transportation Safety Board (NTSB) report on three previous airtanker accidents.

The NTSB report stated that "it was apparent that no effective mechanism currently exists to ensure the continuing airworthiness of these firefighting aircraft." The report also concluded that the Forest Service and the Department of the Interior were responsible for ensuring the safety of firefighting aircraft.

To continue to use these contract large airtankers when no mechanism exists to ensure their airworthiness, presents an unacceptable level of risk to aviators, the firefighters on the ground and the communities that we serve.

Large airtankers are but one of the many tools that we use to suppress wildland fires. During any year, thousands of wildland fires are suppressed without the benefit of air support. We have developed a strategy for the 2004 fire season to supplement our wildland firefighting efforts with other available aircraft.

These additional aircraft assets include the use of large helicopters and helitankers, single engine airtankers (SEATS) and military C-130 aircraft equipped with the Modular Airborne Firefighting System (MAFFS).

A long-term evaluation of the mission and composition of aviation assets that includes certification, maintenance and inspection programs based on available funding will be developed by the leadership of the Forest Service and the Department of the Interior agencies.

The CHAIRMAN. Thank you very much. We welcome the Senators that arrived. And our rule here was that we are now going to proceed at time of arrival, 5 minutes each. Let me proceed and I'll try to be brief and then yield to Senator Bingaman.

Let me talk about the aerial fire fighting. Under Secretary Rey, I understand you will announce the grounding, or you have, of the heavy slurry bombers due to the National Transportation Safety Board's recommendation. I think we need a better understanding of what the grounding of these fire bombers will mean to your efforts to fight fires this Summer. Where will you find the heavy lift helicopters and single-engine fire bombers to fill in?

Mr. REY. Most of those will be available from existing contractors who have additional aircraft that they can make available to us for the fire fighting effort. We're now in the process of deciding what the best configuration of additional aerial assets is and then we will commence to modify the contracts to secure the additional planes.

The CHAIRMAN. So are you telling us that what you think will be available by virtue of assets that are out there is a new configuration and new contracts that will end up with the same kind of fire fighting ability from the air as we have now?

Mr. REY. It's our judgment that there are alternative aircraft available which should give us comparable fire fighting capability.

The CHAIRMAN. How much more money will this cost as compared to the cost of the heavy bombers that you need to rely on?

Mr. REY. Depending on the exact configuration that we ultimately select, we anticipate that the additional cost will run somewhere between \$26 and \$40 million.

The CHAIRMAN. Do you expect to use more military C-130s this year?

Mr. REY. Yes. That would be part of the backfill plan.

The CHAIRMAN. If the C-130s that the contractors provided are not safe, why do you consider the military reserve aircraft to get called up for fires to be safe?

Mr. REY. The military reserve aircraft are newer models of the C-130s than our private contractors were flying. Additionally, the military takes responsibility for the operation and maintenance of the aircraft and we have every reason to believe that the aircraft are safe to operate.

The CHAIRMAN. Ms. Scarlett, these aircraft are critical to fighting fires in Alaska. What will the BLM do to provide enough aerial support to combat the fires in Alaska?

Ms. SCARLETT. Senator, we have, in light of the NTSB report put out to the field a request that each field location come back with projections on how they would plan to replace those aircraft. We have not yet received those but when we get that information that will come together and we'll certainly provide you with that plan ultimately.

The CHAIRMAN. Let me continue. The 2003 fire season cost more money per acre per fire than any other fire season in history. We need to make the point that agencies' fire spending seems to be out of control. Mr. Rey, last year you only burned 3.9 million acres and had only 63,000 fires, the lowest number since 1922, but your agency and the DOI agency spent over \$1.2 billion. What steps have you taken to control your fire suppression costs or is that not possible and not warranted?

Mr. REY. Controlling fire suppression costs is both possible and necessary. The number of acres burned is not necessarily the best metric in evaluating how severe or costly a fire season will be, however. A lot depends on what burns and where it burns. In some years we can burn several hundred thousand acres in interior Alaska at no cost because we don't do much to suppress fires that are in that remote a location. Unfortunately, in 2003, we had a significant number of ignitions in areas with either extreme fuel loads or in the wildland-urban interface, where fire fighting is most expensive on a per acre basis because of the assets and property that we're trying to protect. And that's why the costs were up and acres down in 2003.

An important thing to keep in mind, as you're looking at fire fighting costs, is that 85 percent of the money that's expended on fire fighting is expended on the one to two percent of fires that es-

cape initial attack. So when you look at how you're going to try to control fire fighting costs, the first thing you look at is your positioning of assets to maximize your success in initial attack. That more than anything is going to reduce your fire fighting costs. Then you go to your large incident fires and you do a cost review to see where costs can be reduced or contained, and we've done several of those reviews over the last couple of years.

The CHAIRMAN. My last question is a follow-up on an observation that Senator Bingaman made. I can't think of an issue, with reference to fire fighting, that has more burdened us than the one of us putting in the appropriation and then finding that during the year you don't have enough and you have to go borrow from the ongoing accounts. Frustration with reference to that is rampant. What do we do about that? Now, are we making a mistake in not putting enough in? Are you giving us the wrong estimates? Or just why do we have to continually borrow from Peter to pay Paul when, as Senator Bingaman said, it isn't as if we're taking it from something we don't need; it's taking it from ongoing efforts that we all think we paid for.

Mr. REY. The frustration over fire borrowing is not limited to your side of the dias. It's an extraordinarily frustrating aspect of the program to administer for us as well. Our budget requests for fire suppression are not mysterious. We request the 10-year average of what we spend the previous 10 years simply because it's impossible to predict upwards of 18 months out how a fire season is going to shape up. Unfortunately, the last several fire seasons have been bad ones and so we've been exceeding the 10-year average in every instance. I think that the change that you, Mr. Chairman, helped to produce in this year's budget resolution would help. That would provide significant assistance in avoiding that sort of borrowing, if the budget resolution passes.

The CHAIRMAN. Senator Bingaman.

Senator BINGAMAN. Thank you, Mr. Chairman. Let me follow-up on this same issue, because I do think that a significant part of the problem that causes all this borrowing is, in my view, the fact that the administration doesn't ask for enough money for fire suppression each year. Now, I understand you ask for the 10-year average. We have all of these folks who are expert in predicting where we are. We've got this forecast up here on the chart; this is done, as I understand it, by the National Interagency Fire Center up in Boise, where there are a lot of experts such as meteorologists. It strikes me that there is a total disconnect between our ability to predict and our budgeting. It doesn't matter what the prediction is for 18 months from now; we're going to ask for the 10-year average. I mean, that's our basic policy, as I understand it. So the predictive capability that we've developed is totally unrelated to our budgeting decisions in requesting money. Has there been any thought that maybe you ought to go back and look at whether or not this is the right method, this 10-year average? We are in a long-term drought in the West. Every year we have this same hearing or several hearings like this where we come in and talk about how we're going to have a worse than usual fire season. At some point you'd think that would be factored into the budgeting and to the budget requests we get from the administration.

Ms. SCARLETT. As Mark said, we have continued to use the 10-year average because that is the only tool that we really have had available to us in recent years and as recently as the mid-90s, actually, we were putting forth fire suppression budgets that were above, in fact, what was utilized in those years. Having said that, we are looking at other models, and I know that the GAO, for example, is doing a report; we look forward to that report. We ourselves—

Senator BINGAMAN. When will that report—who's doing that report?

Ms. SCARLETT. I believe there's a GAO report that is looking at fire suppression.

Senator BINGAMAN. But internally you're not doing anything?

Ms. SCARLETT. We are also internally looking at the 10-year average, looking at how well that has served us. It's highly variable year-by-year so that, as I said, as recently as 1998, our fire suppression budgets exceeded what we actually utilized.

Senator BINGAMAN. But you were using the 10-year average then, too.

Ms. SCARLETT. That's right.

Senator BINGAMAN. What I'm saying is, you've got all of these experts sitting around Boise, Idaho, who are supposed to be able to predict this stuff to some extent. Why don't you take their suggestion, and if it's low then ask for less; if it's high, then ask for more? But why don't we budget on the basis of the information that we've got?

Ms. SCARLETT. Senator, as Mark Rey alluded, one of the challenges that we face is that we craft our budgets a good 18 months before the actual fire season and the budget in question occurs. At that point in time critical information, such as, for example, snow pack runoff and weather patterns are really not available to us.

Senator BINGAMAN. Well, I understand that. But it does seem like even 18 months out it would be better to make our best estimate than it would to just take a 10-year average. I think that the best estimate these experts could give us would be more accurate than what we've been doing. Anyway, I would just urge you to go look at the method and the models that are being used and see if we can't revise those to get a little closer to reality.

Let me ask about two other issues. When Chief Bosworth was here a couple of months ago, I asked him about the, what I considered the unsafe and inefficient operation or working conditions we have at the fire cache down in my hometown of Silver City, New Mexico. He said he was going to look into that and see if anything could be done to upgrade that or make the facility more useful. It serves all of New Mexico and significant parts of Arizona, Texas, and Oklahoma as well. Do you know, Mr. Rey, if anything's been done about that?

Mr. REY. We've looked at the facility; it's less than ideal. We're now costing out what it would take to reconfigure or replace the facility.

Senator BINGAMAN. Okay. So I appreciate that and I hope something can be done along those lines.

Let me also ask about fire use. My understanding is that when you start trying to head off fires there are sort of three things that

are helpful here. One is natural fires, which reduce fuel load, of course. Second is prescribed burns, which is sort of a substitute for natural fires. And third is this mechanical removal of underbrush and excess fuel. I guess I'm concerned that I don't think that the management of natural fires to accomplish this thinning activity is given enough attention. I don't know that your policies have adjusted so that, in fact, you are seeing this as an integral part of dealing with the problem of too much fuel load. I'd be interested in any thoughts you've got on that.

Ms. SCARLETT. Yes, Senator, we agree that wildland fire use is very much an integral part of getting our hands around the forest restoration challenges we face. In 2003, we actually, in addition to the 2.7 million acres of hazardous fuels reduction projects that we undertook, we did have 700,000 acres of wildland fire use. We do those when a fire management plan indicates that an area, should a fire strike, can simply be safe to have that fire burn out. One thing we are doing, though, is to re-examine those fire management plans to see if they really do adequately and fully take into account the ability to utilize wildland fire use to its greatest extent.

Mr. REY. As our fire plans are updated, I think you'll see a greater reliance on wildland fire use. And we plan to have all of our fire plans updated by the end of this year. The important thing, when we choose to let a fire burn, is that we have enough information about the fuel conditions, the weather at the time and the other variables to make sure that the fire will burn in the way and in the fashion and in the places we expect it to.

Ms. SCARLETT. Senator, I might add one more comment. The Wildland Fire Leadership Council has convened a high level panel that I mentioned in my testimony. One of the charges of that panel is to look precisely at that question of whether we can better utilize wildland fire use as a means both of achieving healthy forests but also of reducing our suppression costs.

Senator BINGAMAN. Thank you.

The CHAIRMAN. Thank you, Senator Bingaman.

Senator CRAIG.

Senator CRAIG. Mark, the chairman and I were just saying, "Remember Los Alamos." We want you to have that ringing in your ear as you assess fuel loads and weather conditions for wildfire environment. We burned a town down and had to pay for it and I don't think we want to get caught in that scenario again.

The CHAIRMAN. A billion dollars.

Senator CRAIG. A billion dollars worth. The Agency expended \$1.2 billion before October-November fire storms in southern California; the Senator from California is with us. Preliminary cost estimates of the 13 southern California fires exceeded \$122 million; two of the fires exceeded \$30 million each, the Cedar Fire in San Diego, the Old Fire in the San Bernardino. These last season costs will account against the 2004 fire season and could force, in my opinion, if we get the kind of seasons we've been having, massive fire borrowing in the current fiscal year if the season turns out to be an average, as expected. Would you concur with that?

Mr. REY. I think there's that possibility, yes.

Senator CRAIG. Why aren't we then doing 5-year averages on fire costs instead of 10-year averages, because the last 5 years seem to

have been exceptionally costly. We could do that, you could push a computer button and get a 5-year average versus a 10-year average and the money would ratchet up dramatically. But then you'd have to request more and OMB probably wouldn't like that. How do you propose to solve that problem?

Mr. REY. They generally don't like to request more, that is a true statement.

The CHAIRMAN. Get rid of OMB.

Senator CRAIG. I think you've got a unanimous vote on this committee to get rid of OMB. Your answer?

Mr. REY. I think the compressing the average to a 5-year average, while it serves you better in an up cycle may serve you less well if you have five relatively mild years because then your 5-year average is going to catch you very short if you follow that then with a very bad year. The fact is, as Assistant Secretary Scarlett indicated, the factors that give you good predictive ability about what a fire year is going to be like don't come into play with any kind of precision until about January or February of the year you're in. And by that time our budget is already up here on the Hill. So almost anything we do is either going to be an average or an estimate, and some years we'll hit it better than others. But we really don't have the kind of information we're sharing with you now about snow pack, about river flow, about fuel moisture until we're into the April time frame in any given year.

Senator CRAIG. Well, both the Senator from Montana and I have driven across our respective States in the last two weeks. We will tell you, we're damned dry out there and it's going to get drier.

Ms. SCARLETT. Senator?

Senator CRAIG. Go ahead, Ms. Scarlett.

Ms. SCARLETT. I was going to add another complicating factor here. Right now, for example, year-to-date, we're actually slightly behind, even including the California fires, of the 10-year average number of acres burned. But what's driving some of these costs is not the acres and our ability to predict that we might have a bad fire year but also where they are occurring. The very high costs—

Senator CRAIG. Part of the California costs—

Ms. SCARLETT. That's exactly right.

Senator CRAIG. Was in a quasi-urbanized area.

Ms. SCARLETT. That's right.

Senator CRAIG. I understand that.

Ms. SCARLETT. And that's what makes, of course, the wildland-urban interface treatment so critically important in our fire wise activities with communities so important.

Senator CRAIG. Well, I understand your effort to explain it. But I think the first response was the most logical. To ask for more money means you're going to have to fight with OMB and the overall budget problem and that's a fight frustrating to have. Now, here are the consequences of failing to do that. The Senator from Oregon just spoke to the amount of money we wanted to put in for Healthy Forests. During the last 5 years the Agency has borrowed \$2.7 billion from numerous accounts for fire fighting. Approximately 80 percent of those funds were eventually replenished. What wasn't replenished was about \$540 million that was programmed, across the agencies, to be put on the ground for a variety of purposes that

never got there. But the day of the K-V funds in the Fire Service, the Knudsen-Vanderberg funds are gone. They were depleted by the Clinton administration, we don't have green sale cut anymore to replenish them. You used to be able to borrow out of them, we could do a supplemental appropriation and we'd get ourselves whole at the end of the season or end of the next fiscal year. Those are scenarios that don't exist today. Fire fighting costs more. So we can talk about time and location and condition or we can take the reality of where we are and start funding it. Because if we fail to do that the other kind of work that the agencies do, both Forest Service and BLM, on the ground, that we expect you to do as programmed efforts, won't get done or aren't getting done. And over the spread of that 5 years, if you take out \$100 million a year, and this, in the case of the Forest Service, that's a very real problem. And we're feeling it on the ground, ranger district by ranger district across my state.

Mr. REY. I don't think either of us are here to defend fire borrowing as a tool for funding fire fighting. And I think you're correct, that the days that that process worked well were days of yore when there were sufficient balances in trust funds that the borrowing could be made from those trust funds without interfering with the day-to-day operation of other programs. Unfortunately, those trust funds were not fully repaid and they've diminished as well for other reasons also. So I don't think anybody on this side of the dias is defending fire borrowing. We need an alternative. Fortunately, you all have come up with one that I think is workable in the budget resolution.

Senator CRAIG. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Wyden.

Senator WYDEN. Thank you, Mr. Chairman. Mr. Rey, Ms. Scarlett, there's no question in my mind that very soon thousands of people in fire-prone communities are again going to be tossing everything they can fit into their cars and fleeing from their homes without knowing if anything will remain when they return. That's the reality of the West. We've already had fires in Oregon; Senator Feinstein's already had fires, her colleagues have mentioned their concerns as well. I agree with everything said by Senator Domenici, Senator Craig, Senator Bingaman. But I'll tell you, I'm concerned about this year, right now. And the whole point of the forest health effort has been to try to make a break with the past. And I put into the record, as you heard me say, the documentary evidence of the under funding of the Hazardous Fuels Reduction programs. Every one of those Hazardous Fuels Reduction programs that is funded means that much less acreage is at risk from the catastrophic fires; that's what we do when we fund them and you all know this, you know, better than I. I was able to get in the budget resolution an increase that would be more than \$300 million per year, as a member of the Budget Committee, so that we could fully fund those Hazardous Funds Reduction programs.

My first question to you is, and perhaps to start with you, Mr. Rey, is what is the administration doing, given the fact that the budget resolution is in conference now—went to the floor and spoke just a couple days ago to try to get it funded—what's the adminis-

tration doing to try to get full funding for the Hazardous Fuels Reduction programs that you put so much more acreage at less risk? Mr. Rey?

Mr. REY. The simple answer is we think our fiscal year 2005 budget request did ask for full funding for the projects described in the Healthy Forest Restoration Act and that that request was about \$100 million increase over fiscal year 2004 levels. It will produce close to 4 million acres of fuels treatment work in 2005, maybe slightly more than 4 million acres of fuels treatment work, and that number would be an all-time record. And so I think that's good progress toward an ultimate goal. The ultimate goal is we've probably got somewhere in the neighborhood of 80 or 90 million acres of priority treatments that need to be made, either in the wildland-urban interface or where other critical ecological values are at risk. And we're on a path to continue to ramp up our effort, both by requesting increased funds and by trying to reduce the unit costs of the work involved to make those funds go further.

Senator WYDEN. I think before we get into the eye-glazing sort of exercise of which account is here and which account is there, I already mentioned that your spokesman, Joe Walsh, was quoted as saying the budget only calls for \$417 million. This is your person for hazardous fuels—

Mr. REY. That's 2004.

Senator WYDEN. I'm reading right from—however, the 2005 proposed budget calls for only about \$417 million for hazardous fuels reduction efforts according to Forest Service Spokesman, Joe Walsh.

Mr. REY. Strictly speaking, he was quoting the number in that line item. But that line item alone doesn't encompass all of the work that we do in this area.

Senator WYDEN. That's fine. What I want to hear is what's the administration doing with both the budget, which is in conference now, where I'm trying to get it to \$760 million and if we're not successful there we're going to be uphill in terms of the appropriations process, what's the administration doing on the budget and on appropriations to get us to the full \$760 million which we worked so hard on a bipartisan basis to turn this situation around?

Mr. REY. It's our judgment that if you accept our 2005 request you'll be at \$760 million.

Senator WYDEN. I can only tell you that both the budget and the appropriations process leaves me very much in doubt whether we are going to get full funding of hazardous fuels reduction. And when we look at the sleight of hand that has already been described, of robbing one account to another, and that's what it is. It's not sleight of hand if you live in Cave Junction or Joseph. Those people are not seeing the money get out there. I mean, period. That's what they tell us. They are not seeing the money get out there. And I hope that the administration will do everything possible with the budget conferees who are meeting now. I mean, that conference is going on now. And if I and others are not successful we'll be \$300 million plus short there of \$760 million. And that's, again, that is the quote of your spokesman. And then we've got to go to the appropriations process where we're fortunate to have Chairman Domenici, Chairman Burns and others there. But we

need the administration to be vocal and visible on the budget and appropriations issue because the dollars are not getting out there. And the whole point of the hazardous fuels reduction provision in Forest Health was to change this and to put less acreage at risk. And I can tell you, Senator Smith is here as well; he hears that our acreage, we still have enormous amounts of acreage that's at risk and I don't think you can justify this under funding.

Thank you, Mr. Chairman.

Mr. REY. Well, we can debate whether the amount is too large or too small. But what is indisputable is this is the most any administration has ever asked for to do this work. That's indisputable.

The CHAIRMAN. Thank you very much. On our side, Senator Thomas is next.

Senator THOMAS. Thank you, Mr. Chairman. Well, thank you both for being here. This is a difficult issue, of course and Mark, we've been talking about the money, which I understand is a difficult thing but the fact is that fires are a part of nature and we have less fires than we used to because we want to. We used to let them burn and now we don't. But notwithstanding the money, we've talked about clean forests, we've talked about beetle kill, we've talked about thinning, and the forests I'm familiar with, I haven't seen much of that happening. Aside from the money, what's really happened in terms of Healthy Forests?

Mr. REY. What's happened is we hit an all-time record of 2.6 million acres treated last year. That's the most—

Senator THOMAS. Treated? What do you mean treated?

Mr. REY. Thinned. Fuel reduced.

Senator THOMAS. Where?

Mr. REY. Throughout the country, including some in Wyoming. I'll take you out and show you some in Wyoming.

Senator THOMAS. I'll take you out and show you some where there's tons of beetle kill that's never been touched.

Mr. REY. There's no question—

Senator THOMAS. I'll take you to the Shoshone and they have a plan that's never been implemented.

Mr. REY. There's no question that there are 80 to 90 million acres of priority treatments that need to be made, that we've got to ramp the program up to get to the point where we can do that job in an eight to 12 year time frame. But realistically, that's what it's going to take. It took us 100 years to get into this situation and we're not going to get out of it overnight.

Senator THOMAS. I don't accept the 12-year thing. I just don't understand that. You've got the various people on the ground now in the various forests that can do some of those things, and it seems like we wait until the fire season's upon us and then we get all excited about it. But I don't hear much about it off-season, which is when we really ought to be doing the protection.

At any rate, let me go back to the airplanes just a minute. We've been through the airplane thing, as you know, for several years in Wyoming. Critical problems happened in 2002. Now we're going into 2004. A lot of these owners have spent literally hundreds of thousands of dollars on these airplanes and now, right into the beginning of the season you suddenly say we're not going to use

them. Isn't the timing a little strange? Now, I know you're going to say, well, we got the report. But why didn't we get the report a year ago? Those things happened in 2002.

Mr. REY. I can't tell you why it took the NTSB a year-and-a-half to complete their investigation. What I can tell you is that in 2002 we undertook our own review of the safety of the large air tanker fleet and made several changes that we hoped would assure the air worthiness of these aircraft. Unfortunately, the NTSB disagrees. Their report is, I think, not something that can be disputed and so now we're going to have to adjust and move on. Would I have liked to have gotten the NTSB report five months ago or six months ago? Sure. But I don't always get what I want around here.

Senator THOMAS. Really?

Mr. REY. If I got what I wanted we'd be in a period of budget surpluses and above average rainfall. But neither is the case.

Senator THOMAS. Well, you don't have much to do with rainfall but you do have something to do with the oversight of these airplanes. And why you haven't been involved more with the FAA over the years I don't know. The Forest Service is not the people to take a look at the safety of airplanes.

Mr. REY. We freely acknowledge we lack that expertise.

Senator THOMAS. That's exactly true. But it took a long time to even do that, Mark, and I guess the timing, again, why didn't you tell these people last fall that this was likely to happen? Now they've invested a lot of dough and have already used some of the airplanes and now they can't use them. And you're going to be shorthanded.

Mr. REY. I think we will not be shorthanded. We will have to stretch to move quickly to reconfigure the fleet but I think we'll be just fine in terms of fire fighting capability.

Senator THOMAS. Well, we'll see. We've been working with the Wyoming National Guard to do some of that, now the National Guard's very involved in Iraq and I think you're going to find that there are going to be some real difficulties there. In any event, the point is, if you're going to use the private sector, which I endorse, then you have to use the FAA and you have to use the others to go through the question of the viability of the aircraft. And you can't wait until it's time for the forest fires to begin and then suddenly say that we aren't going to use them.

The CHAIRMAN. Senator, I think you can say you can't wait for the accidents.

Senator THOMAS. Oh, absolutely not.

The CHAIRMAN. That's what happened.

Senator THOMAS. Well, we had the accidents 2 years ago.

The CHAIRMAN. Yeah, well, that didn't bring it either.

Senator THOMAS. Well, in any event, I think we're going to have to do some other things. And I hope you can get out and get your various forces going on some things in terms of this Healthy Forest business, particularly in the area where there are facilities. One of the problems there is when you begin to thin around the facilities why, the owners of the facilities don't want you to touch it and your guys back away. And I understand that. At any rate, it's a tough problem and I know we need to work together to get some work done on it. And thank you.

The CHAIRMAN. Senator Feinstein. Well, Senator Bunning, I believe, has arrived next. Senator Bunning, would you permit me to have half-a-minute and then I would ask Senator Thomas if he could preside for just about 10 minutes, could you do that?

Senator BUNNING. Go right ahead, Chairman.

The CHAIRMAN. All right. Senator Bunning, could I just take a minute? I want to ask you, you made a statement awhile ago and I noted it in your testimony, that with reference to activity on the part of the Federal Government to thin and reduce this overage that causes the fires, that we've done more than we've ever done before. Can you just tell us a little bit about what that means? It would seem to me you gave us a big number but we have Senators here who seem to wonder, looking at their own States, whether that's really a lot or whether that's just a little bit, or just tell us what that means.

Mr. REY. Okay. Let me just start with the larger numbers and then move to annual accomplishments. Our estimates are that there's about 190 million acres of Federally owned forest and rangeland at risk because the stands are too dense, the brush is too thick, there are insect- or disease-infestations or other sorts of things but those are the main factors. Of that 190 million acres, not all of it needs to be treated. Not all of it should be treated. Some of it's in remote locations in areas where fire frequency is not that great, like interior Alaska. So you deduct the areas that don't need to be treated. That leaves you with about 80 to 90 million acres of priority treatments in the wildland-urban interface, in municipal watersheds, in other areas where there are ecological values at risk. Our accomplishment last year was 2.6 million acres. Our accomplishment this coming year will be just under four. Our proposed accomplishment for 2005 will be just over 4 million acres. We're going to need to get to the point, I think, where we are reliably treating about ten million acres a year. And if we can get to that point then we have, I think, a program of work that addresses the problem of treating the 80 to 90 million acres in about 10 years' time. I don't honestly think it's going to happen any sooner than that because we've basically doubled our annual rate of performance from where it was in 2000; we're coming at the end of 2005 to doubling it again. We'll have to double it a third time in order to get to eight to ten million acres of annual treatment and I don't think you're going to see Federal programs, many Federal programs, accelerate that rapidly. That's going to have to be an increase in investment and funding and a significant increase in the efficiency with which we undertake these activities. We're going to have to continue to streamline our procedures, hopefully win all of the administrative appeals and legal challenges that are presented by people who oppose this work, and try to resolve this problem in about that time frame.

The CHAIRMAN. All right, thank you.

Senator Bunning.

Senator BUNNING. Thank you, Mr. Chairman. I have a statement I'd like to put into the record.

The CHAIRMAN. It will be made part of the record.

[The prepared statement of Senator Bunning follows:]

## PREPARED STATEMENT OF HON. JIM BUNNING, U.S. SENATOR FROM KENTUCKY

Thank you, Mr. Chairman.

Today's hearing on wildfires is important for the protection of communities, natural resources, and forests nationwide. I believe that assessing the factors behind the rash of recent devastating forest fires, as well as advancing the determination of solutions to such problems, is significant for the health and welfare of communities, industry, and environmental treasures across America.

Kentucky boasts two national forests: the Daniel Boone National Forest and the Land Between the Lakes National Recreation Area. The preservation of these lands from forest fires and other forms of natural disaster is of paramount importance to myself and my fellow Kentuckians.

Kentucky has worked hard to maintain healthy forests. While I know that western forests have been more affected by wildfires in recent years, I hope that Kentucky's forests are not forgotten in future forest fire programs.

I appreciate the time that our witnesses have taken today to testify. I look forward to hearing their thoughts on fire risk reduction and restoration practices.

Thank you, Mr. Chairman.

Senator BUNNING. Okay. I'd like to just briefly touch back on the large tanker air support and the untimely removal of that support for fighting fires. I seriously doubt that your agency will be able to fight the oncoming fires efficiently and effectively as though they were used using large tankers in the past. I have serious doubts and only after the fact we'll be able to determine whether you are right, the NTSB was right, and if there isn't contractors out there who could furnish air worthy aircraft to do the same job that not air worthy aircraft have been asked to do in the past. I think it's up to your agency and your responsibility to find aircraft that are air worthy, whether it be in the public or the private sector. That said, I'll go to other places.

The recent rash of wildfire outbreaks that have occurred in the Western part of the United States have turned our focus on wildfire prevention and forest restoration initiatives. However, many States in other areas of this country also boast forests that have been and will be subject to forest fires. Kentucky in particular is home to two of the largest forest areas, the Daniel Boone National Park and Forest and the land between the Lakes National Recreation Area. How does the restoration-based fire fuel reduction and Forest Health Project address the different geographic needs of these regions?

Mr. REY. When we looked at the Southeast, we were looking at a system that is every bit as fire prone as the West. Fortunately, the forests in the Southeast are in better shape right now, generally speaking, and we do a lot of varied fuels treatments works, including a significant amount of prescribed burning because we can burn more safely given the reduced fuel loads in our Southeastern national forests. That region, in fact, is where we do the lion's share of our prescribed burning. So that the issues aren't too much different. The techniques aren't that much different. I guess the biggest difference in the Southeast versus the inner-mountain West, in particular, is that our forest ownership aren't as large and unbroken, which means there is better access to do fuels treatment work and to do prescribed burning, number one. And number two, the fuel loads aren't quite as heavy in the Southeast because of the program of fuel reduction and prescribed burning that we've done over the years.

Senator BUNNING. This has been brought out before but I have to bring it out one more time. Last 5 years, agencies, you've bor-

rowed \$2.7 billion from other accounts. Why are the agencies so under funded over the last few years to fight fires?

Mr. REY. It's not that we've been so under funded, it's just that the 10-year average hasn't been a very reliable barometer of the fire seasons that we've been experiencing.

Senator BUNNING. Yet there has been no adjustment to that in the 2005 budget, is that correct?

Mr. REY. There wasn't a basis for making an adjustment other than just rough predictions.

Senator BUNNING. Other than the fact that you've borrowed \$2.7 billion over the last 5 years. That's a pretty good indication that you've been falling a little short in your requests.

Mr. REY. It's a good indication that the fire seasons have been bad, that's right.

Senator BUNNING. Well, 2003 was only bad in the point of location of the fires. I mean, the amount of fires, the acreage burned, was not as bad as in the past.

Mr. REY. That's right.

Senator BUNNING. So, I mean, if we could pick and choose where they have a fire it would be wonderful but we can't do that.

Mr. REY. That's also correct.

Senator BUNNING. So your agency hasn't anticipated the fact that we could have a fire in a very populous or fringe area where we burn 30-some hundred homes down. Have you?

Mr. REY. We don't have the predictive capability to know where the fires are going to ignite.

Senator BUNNING. Well, we understand that. I mean, that's a given. But there is a given that you've overused—by borrowing \$2.7 billion, you've overused the money that's in other accounts and therefore, in the future, to make up the money that's been used you're going to have to request a larger—whether OMB likes it or not—a larger request from OMB. You've got to face the facts.

Mr. REY. The facts may change.

Senator BUNNING. Yeah, they may change but are you going to make the two-seven up somewhere else? How are you going to make it up?

Mr. REY. The traditional way has been through a supplemental appropriations bill that—

Senator BUNNING. Well, we're not going to be able to do that. You understand that?

Mr. REY. I understand.

Senator BUNNING. So, how are you going to do it?

Mr. REY. We'll do it by borrowing from whatever accounts are available to continue the fire fighting effort.

Senator BUNNING. That's just a continuation of bad policy. Period.

Mr. REY. I don't disagree with that but that's the only avenue available right now.

Senator BUNNING. Ask for more from OMB so we can put it in the budget. That's the answer, whether you like it or whether you don't like it.

Mr. REY. Okay.

Senator THOMAS [presiding]. Thank you, Senator.

Senator BUNNING. Thank you.

Senator THOMAS. Senator Feinstein.

Senator FEINSTEIN. Thanks very much, Mr. Chairman. In listening to this, Senator Burns is the chairman of the Appropriations Subcommittee and I'm a member of that subcommittee. I think we've got some work to do to see that the funding, as it comes out of our subcommittee, is adequate for this.

Senator SMITH. Don't listen to him.

Senator FEINSTEIN. Right. Right. Let me just begin, Mr. Rey, with thanking you and the Secretary for changing the local county match from 25 percent to nothing for the Natural Resources Conservation Services for watershed protection. It's very much appreciated. And Ms. Scarlett, I'd also like to thank you and the Interior Department for at least reducing the Forest Service match from 50 to 25 percent. I think that's appreciated as well. I want you to know that I agree with Senator Craig that it would be much better, I think, for the times we're in if a 5-year average could be used instead of the 10-year average. I think it's much more realistic.

Now, only \$30 million of the \$120 million is projected to be spent this year for removal of dead trees. And I'm very concerned with the Bark Beetle Forest in California, which has to be probably our largest priority. I was talking to someone from Sierra Pacific Industries and, as you know, there's a certain use for even the bark beetle-infested trees if you can get to them in the first 6 months to a year. But they said it's almost impossible because they've got to bring the trees out to Senora to a rail line, and the thought occurs whether it's realistic to build a mill in that area for a company. Do you have any analysis on that, whether it could be a realistic enterprise to develop a mill to get to these trees fast enough, since there's so many of them?

Mr. REY. I don't think that, given the reviews associated with a siting decision of a new manufacturing facility in southern California, it's realistic to look at that option, in all honesty. I mean, I think it would probably take somebody—even somebody who had the capital available—3 to 4 years just to get through the permitting process in those southern California counties. So I think our better bet is to try to move as much of that material as we can and then just deal with the rest as a landfill problem. Right now the market for pine is up, so that's helping. Material that would have otherwise been land filled will move to mills in the southern Sierra or in the northern part of the State and we can hope that that will continue. But I'm sorry to say I find it difficult to imagine that you could get a fully permitted, new manufacturing facility in place in that part of the State in a time frame that would help.

By the way, the \$30 million, that will increase now with the waiver of the local match; the counties should be able to move faster. So you'll see more of that money spent this year.

Senator FEINSTEIN. I would very much appreciate it if you could pay some special attention to it. Because in reading the staff memo, the number of acres in California that have been treated, in comparison to others, are very low. BLM treated 438,500 acres of which California was just 12,000. And the hazardous fuels treatments in—so far, 2.3 million acres, where only 167,000 acres. So I am very concerned. The weather has been abnormally warm so far this year in southern California and there is so much of that

bark beetle stuff that we have already had 20 fires; it can get much, much worse. So anything that you could do, and I'll certainly work with you in any way I can, to move that along. But if you would please, both of you, to your Secretaries relay my thanks on the county match, I think that will be a big help. Appreciate it very much.

Mr. REY. Thank you.

Senator FEINSTEIN. Thank you. Thank you, Mr. Chairman.

Senator THOMAS. Thank you very much. I hope—from both of you—I hope we don't forget the possibility of using the private sector to harvest some of these places. And if they're supervised properly you don't have to worry about the environmental aspect of it. So, to talk always about not having enough money, there are people willing to actually pay, or at least remove these things and I hope we use the private sector.

Senator Burns.

Senator BURNS. Thank you, Mr. Chairman. I've just got a couple of questions and I have a statement I'd like to have put in the record. And also, there is going to be some testimony offered by Douglas Herlihy, I think, before the House next Thursday, with regard to those tankers. Secretary Rey and I would appreciate if maybe after that testimony is offered and some of the questions that he raises about those tankers we might have a visit, and we'll do that off-camera, so we'll take care of that.

In these areas where we have an interface, an urban interface with the Forest Service and the BLM, we've seen homes—I know in my State they were built in the wrong place, to be honest with you. They're built in the forest and those areas. What kind of a fire prevention responsibility do those homeowners have?

Mr. REY. I think they have responsibility to try to make their homes as safe and fireproof as they can. And I think that over time we're going to see that enforced by the insurance industry.

Senator BURNS. Well, they tell me you can't get insurance now. But I mean, do they have any responsibility of getting some of that fuel load off of the floor of that forest that would burn? And how much—how far can they get that away from their property?

Mr. REY. Well, it depends on how much property they own.

Senator BURNS. No, but can they do it in the forest though?

Mr. REY. On the Federal land?

Senator BURNS. On their own? On their own and pay for it?

Mr. REY. No. I'm afraid that we could not have them do work on Federal land on their own.

Senator BURNS. Why?

Mr. REY. I would imagine that the usual people who object to these kinds of projects would have something to say about us allowing homeowners the ability to start to do fuels treatment work on the Federal forest on their own.

Senator BURNS. I mean, removal of underbrush and grass that's grown up and—they can't remove that?

Mr. REY. They're not supposed to. Some probably do. But generally speaking we like to make sure that—

Senator BURNS. I know if I owned a big old house up there I'd go out as far as I could go.

Mr. REY. Yeah.

Senator BURNS. Tell me about grazing permits. Where are you on the issuance of grazing permits? Are we still behind?

Mr. REY. We're still behind but catching up.

Senator BURNS. See, I think that has a lot to do with it and I can show you a lot of places where you allowed grazing, you have less fires.

Mr. REY. That's—there's no question about that, that grazing is part of—

Senator BURNS. And I think part—another thing is those are areas that could be accelerated for underbrush and removal of some fuels that are there.

Mr. REY. We do actually use grazing as a form of fuels treatment in several forests.

Senator BURNS. I got to tell you, the other day I saw—you know, this is a couple of years ago—a place over there that environmentalists are paying a sheep man to turn his sheep out to control a spot of nap weed. Isn't that wonderful, that they thought about that? Gosh, a miracle. How come we didn't think about that?

Mr. REY. We do do a lot of grazing for that reason.

Senator BURNS. We spent years of running grazing off of there and now they're paying the sheep men where the sheep men used to come over and pay you for grazing, you know. Gosh, wonderful thought.

Mr. REY. We're paying goat herders in the Southern California National Forest to run their goats in our field breaks to keep the vegetation down.

Senator BURNS. We can do that, we can do that. Those are the things, I just wondered if, on the amount of responsibility of these because we get into an interface home I think sometimes we spend money protecting things that could be protected by the homeowner themselves, that they have a certain responsibility of maintaining and taking preventative actions around their homes to prevent some of this. At least when there's a fire they can save the home.

Mr. REY. And that's the point and the purpose behind our Firewise program, to give homeowners enough information to know what they should do, what they can do, to make their own property more fireproof.

Senator BURNS. We're going to look at this airplane situation. I don't know enough about it right now to ask an intelligent question. But I just feel like we're headed down maybe a wrong road here but I can't comment on that right now.

And Mr. Chairman, thank you. What's?

Senator THOMAS. I said you didn't—you just said you didn't know enough about it to ask a question. I said that's never stopped you before. And I was just kidding.

[Laughter]

Senator THOMAS. Thank you, Senator.

Senator Smith.

Senator BURNS. You know what? All team ropers are like that. And usually they're a thumb short, too.

Senator SMITH. Thank you, Mr. Chairman. I would like to include a more extended statement in the record.

Senator THOMAS. Yes sir, it will be in the record.

Senator SMITH. Mark, thank you for being here. And also, Ms. Scarlett, appreciate your service to our country and to our forests.

As you probably know, I was a proponent of the Healthy Forest Initiative and have great hope in the promises that are contained in it about our ability to get ahead of these fires, and yet there are some projects that were being developed by local communities with Federal authorities and State authorities before the Healthy Forest Initiative was passed and signed by the President. One of those in my State is called the Metolius Project. Are you familiar with that Mark?

Mr. REY. Yes.

Senator SMITH. And can you give me an update on whether the lawsuit brought by extremist environmentalists is going to leave Camp Sherman vulnerable to another fire this year?

Mr. REY. If the suit is successful I believe that Camp Sherman will be more vulnerable than would otherwise have been the case. It's not clear yet what the disposition of the litigation will be. We're hopeful that we can prevail and resist a temporary restraining order, preliminary injunction.

Senator SMITH. I have sent a letter to Attorney General Ashcroft asking that he vigorously defend your agency in this suit because I don't think there's any accident in the fact that when President Bush announced he was going to go there last year the place went up in flames. I think that's very regrettable but clearly it's a beautiful and magnificent area and it ought to receive some scientific treatment and not just be the subject of environmental lip saw.

Mr. REY. I can't speak for the Department of Justice but I can tell you that we've been very pleased with the aggressiveness of their defense on these kinds of projects so far. In March the Federal District Courts handed down 15 decisions and the Government prevailed in 15 out of 15 of them.

Senator SMITH. So you would be optimistic about the Metrolius Project being successful in its defense?

Mr. REY. I would be more optimistic if this weren't a Ninth Circuit case but I remain optimistic that we'll get a strong and vigorous defense.

Senator SMITH. And Mark, I understand you were in Oregon last week. Is that correct?

Mr. REY. I did pay a visit to Ashland last Friday.

Senator SMITH. How were you received?

Mr. REY. Well, it depends on—

Senator SMITH. I think I know, I read the papers.

Mr. REY. It depends on by whom.

Senator SMITH. Mark, I am, as you know, concerned about how we deal with the remnants of the Biscuit Fire and, as you know, we burned up a half-a-million acres of old growth timber there, and it's hard to calculate the damage to the environment and certainly the salvage effort that is ongoing now is small but important. And I have received reports that the area that is known as the Biscuit Fire is now being choked off by underbrush that is growing back, choking off the chance of the next generation of forest from growing out of the ashes there. I'm also mindful that recently some Federal land managers tried to go there but were obstructed because of the roadblocks that were built from some of the logs there. Did the For-

est Service have anything to do with using those logs to obstruct the roads so that its foresters could not get in to see this area?

Mr. REY. No.

Senator SMITH. Do you know who did obstruct these areas?

Mr. REY. I don't know who did and my expectation is that it's probably somebody who's opposed to the Biscuit Fire recovery effort.

Senator SMITH. Isn't it a fact, though, that in that area where there had been fuels reduction work done that the fire had a diminimous impact, it did not burn with the intensity that it did in other areas because the slash had been cleared out, the undergrowth had been cleared out and it did not get into the crowns of the trees?

Mr. REY. Within the perimeter of the 500,000 acre fire there were both areas that had been treated where fire intensity was reduced significantly and there were also some areas that were previously burned in an earlier fire where the same net effect occurred and the fire burned less intensively.

Senator SMITH. And so the American public should know that where this treatment goes on, both the environment is improved, made more fire resistant, and there were actual economic values that were also derived from these thinning projects? Should the American public know that?

Mr. REY. I would hope so.

Senator SMITH. And isn't it a fact that these foresters were met by this obstruction that forest rangers did not build but others built and there were messages greeting them, "No salvage here, stay the f out"? Is that what happened?

Mr. REY. I've heard that—basically that same rendition.

Senator SMITH. What are you going to do about that? I mean, obviously the foresters didn't get in there to see this, to evaluate it. How do you deal with that kind of stuff in the future? Do you just have to turn around and go back or is there a lawful way to proceed?

Mr. REY. Oh, there's a lawful way to proceed once we have a final decision, assuming that it's upheld by the courts and I think it's a pretty safe bet that it's going to be challenged in court. Assuming it's upheld by the courts then we'll undertake to execute the project as it's defined. And we expect that that will create some contention, that there will be subsequent demonstrations and we'll deal with them as needed when they occur.

Senator SMITH. When they were greeting you with the expletive, they said to stay out because this is our home. This is their words, their home. Do they live there? Are there people living there?

Mr. REY. Not in the forest per se, no.

Senator SMITH. So it's their home only in a symbolic way, I suppose, not in an actual way.

Mr. REY. In spirit.

Senator SMITH. In spirit. Well, I wish you well. Thank you, Mark, for going to Oregon. Thank you for caring. And I would only ask if you had a comment. You know, Senator Wyden was—my colleague, noting that there is—the money's not getting to the ground. You correctly also noted that there is more money being spent now to get to the ground than ever before by any administration in the

history of the American nation. What's stopping the money from getting to the ground?

Mr. REY. We're still pulling impediments in our administrative processes out of the way. That's going to be a continuing effort as we seek to make ourselves more efficient and more effective in doing this kind of work. But I think the one strong impression I'd like to leave the committee with is that this is not something that's going to be solved overnight. Even when we worked together to write the Healthy Forest Restoration Act and you were good enough to pass it and the President signed it last December, it was with an understanding that this is going to be a multi-year effort that isn't going to be fixed overnight. We're going to move as fast and as furiously as we can but simply passing new legislation isn't going to stop all forest fires or all environmental lawsuits either.

Senator SMITH. Thank you, Mr. Chairman.

Senator THOMAS. Thank you, Senator.

Well, thanks to both of you. I know you're both dedicated to what you're doing. I hope that, you know, the first responders are still the local folks and so on. We need to make sure we help that and the local involvement. As we close—2 minutes each—what are your priorities? We've talked about this broad problem. What do you think are the most important things for us to address? Miss Scarlett?

Ms. SCARLETT. Well Senator, we have touched on a number of them today but I would say at Department of the Interior we have two fundamental priorities. One is to get those projects on the ground for those fuels treatments and in that regard, at Interior we have increased our projects over 50 percent just in three short years. In 2003 we got so much better at it that we actually were able to spend down our carryover balances. And we're getting a lot better at contracting and using contractors to get the job done. And we look forward to the Stewardship contracting, drawing value from those. So that would be our number one priority, to get those fuels reduction projects done, done efficiently, and to try and capture some economic value.

The second is on the matter of our wildland fire management and suppression cost issue. Last year we did five fire suppression, large fire cost containment reports to try and better understand what's driving those costs. We now have with our Wildland Fire Leadership Council a high level panel that is further looking at that. We understand the issues and challenges with borrowing and as Mark said, that's not our preferred option.

Senator THOMAS. Good. Thank you. Mark? Two minutes. Priorities.

Mr. REY. At the end of January I met with all 120 and some of our forest supervisors, our line managers. And I left them with a single challenge. I told them that dealing with this issue, with the health of our forests and rangelands, and executing the program of treatment that's necessary to restore their health, will define their success as 100 years before their predecessors' success was defined through the formation of the National Forest System. So there's only one priority, and that's to get that work done as quickly as possible, as safely as possible.

Senator THOMAS. All right. Well, thank you very much, we appreciate what you're doing and we'll look forward to continuing to work with you.

Mr. REY. Thank you.

Senator THOMAS. The committee's adjourned.

[Whereupon, at 11:32 a.m., the hearing was adjourned.]

## APPENDIX

### RESPONSES TO ADDITIONAL QUESTIONS

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF CONGRESSIONAL AND LEGISLATIVE AFFAIRS,  
*Washington, DC, July 9, 2004.*

Hon. PETE V. DOMENICI,  
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Enclosed are responses prepared by the Office of Wildland Fire Coordination to questions submitted following the May 11, 2004, hearing on Fire Preparedness of the DOI and DOA Firefighting Agencies.

Thank you for the opportunity to provide this material to the Committee.  
Sincerely,

JANE M. LYDER,  
*Legislative Counsel.*

[Enclosure]

*Question.* These aircraft are critical to fighting fires in Alaska. What will the BLM do to provide enough aerial support to combat fires in Alaska?

Answer. For the 2004 fire season in Alaska, BLM has 68 smokejumpers, seven helicopters, four jump ships, four air attack aircraft, three Type I crews, 44 Type II crews sponsored either by the Federal government or the State, as well as other miscellaneous specialists available for combating wildfire.

To supplement these resources and to address the termination of the heavy airtankers contracts we have initiated the procurement process for 3 CL215's (large Canadian-built, certified fire fighting aircraft, up to 1200 gallon capacity), 3 SEAT (single engine airtanker, up to 800 gallon capacity), and 2 type II helicopters (medium size, can carry up to 700 gallons). These aviation resources came to AK via the regular resource order system (dispatch system) and some through the supplemental strategy to mitigate the loss of the large airtankers.

5 P3's have been returned to service. They are available for use anywhere in the country, depending on the National Multiagency Coordination Group's prioritization.

*Question.* When I look at the Park Service's cost of fire fighting over the last decade and compare that to the other DOI agencies and to the Forest Service, the Park Service is always very high, why is that?

Answer. The Department does not currently have historical firefighting cost data that would necessarily support the premise of the question. However, improved data to make certain comparisons will be available in the future. Beginning in FY 2004, the Department of the Interior and the U.S. Forest Service are implementing FireCode, a new financial management system in which the same fire incident codes will be used by all five firefighting agencies. This will enable us to more precisely report on the total funds spent to address a specific wildfire incident. By using common fire incident codes, FireCode will also enable us to determine the amount of funds spent by each agency on a particular type of land unit, as all of the fire agencies share fire resources across jurisdictions without reimbursement. For example, the Bureau of Land Management may respond to fires on national park lands, on FWS refuges, on Indian reservations, and on national forest lands. With the FireCode information, one could calculate the average cost to suppress a fire on each particular type of land unit, but it would not necessarily enable one to accurately compute each agency's firefighting costs on a per-acre basis. The unified approach to firefighting will likely continue to create some problems in making acreage cost comparisons for participating fire agencies.

*Question.* We have been working very hard to include a reserve account in the Budget resolution to help cover the costs of emergency fire borrowing. I want to

know what you believe reasonable criteria for fire suppression cost containment would be.

**Answer.** Reasonable criteria for fire suppression cost containment would, in our view, need to consider the whole range of cost drivers and tools for responding to wildfires. Several underlying conditions set the stage for high fire activity and increased firefighting costs—the accumulation of hazardous fuels, prolonged drought, and movement of people into the wildland urban interface. Nonetheless, some aspects of fire readiness and response can be controlled better. This year, for example, all incident command teams on large fires will have business advisors assigned to help ensure that firefighting forces will be supplied in a cost efficient manner. The incident command teams will also have strengthened contract oversight in 2004 as compared to previous years. Incident commanders have been directed to emphasize cost accountability when making fire response decisions. Incident suppression cost objectives will be included as a performance measure in Incident Management Team evaluations.

In addition to the large fire cost reviews that were begun in 2003 and will continue in 2004, the agencies are taking a much more comprehensive view of fire suppression costs. The Wildland Fire Leadership Council convened an independent senior-level panel of government managers to explore the strategic issues associated with large fire costs, including the relationship of fire to management and land and resource management plans. This panel has conducted a thorough literature review, interviewed many experts, and received presentations on a multitude of related issues. The panel's findings and recommendations will be presented to the Council this summer. We anticipate that the panel's findings will help identify the most significant factors driving the costs of wildland fire suppression and key opportunities for improving cost effectiveness.

#### HEALTHY FORESTS RESTORATION IMPLEMENTATION

1. Ms. Scarlett, we passed the Healthy Forests Restoration Act last November and the data we have from your agencies show that in FY 2004 about half your HFRA projects will be prescribed burning about half mechanical removal of fuels.

*Question.* Can you tell me how we will treat enough of the overstocked forests if we keep trying to use prescribed burning as the main means of treatment?

**Answer.** We use several methods to remove hazardous fuels from our forests, often in combination. It is important to note that the treatment method is not the objective, but a means to reducing fire risk and restoring healthy forests. The projects are developed with an eye toward achieving treatment goals in the most cost effective manner regardless of treatment method. In forested areas, mechanical means often precede use of prescribed fire which is usually the most cost effective way to remove finer surface fuels.

Our use of mechanical means continues to grow. We expect to apply mechanical treatments to about 90,000 more acres in 2004 than in 2001. Use of mechanical methods will continue to grow in importance over time as the private sector finds more uses for woody biomass and as the use of stewardship contracting helps make these treatments more cost effective.

For specific projects, the choice of treatment methods depends on a variety of factors, including the cost of treatment, treatment goals, vegetation types, fuel conditions, topography, settlement patterns, habitat considerations, and climate. In national parks, for instance, the use of prescribed fire is often determined to be more in keeping with Congressional intent than mechanical means. Prescribed fire is more akin to natural processes than are mechanical treatments and, hence, closer to Congress' preservationist mandate for the National Park Service (NPS). Thus, the NPS depends heavily on prescribed fire. However, the NPS will use mechanical treatments when it is appropriate. For example, the NPS used the Healthy Forests Initiative categorical exclusion for mechanical treatment of 1,000 acres in Big Cypress National Preserve because the vegetation being removed was in an abandoned, overgrown agricultural field where fuel loads would have made prescribed fire too risky. By contrast, the Bureau of Land Management has used mechanical treatments on approximately 45% of its fuels treatment acres since FY 2001. The BLM's multiple use mission and the types of lands it manages often lend themselves to the use of mechanical treatments.

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#### RESPONSES OF THE FOREST SERVICE TO QUESTIONS FROM SENATOR DOMENICI

In relation to the announcement that the large airtanker aircraft contracts have been terminated.

*Question 1.* In each of the last five years, how much slurry was delivered (in gallons dropped) by the multi-engine slurry bombers, the single engine slurry bombers, the heavy lift helicopters, the light and medium helicopters, and Canadian water and slurry bombers?

Answer. Annual retardant usage is accumulated as total number of gallons per air tanker base annually and not by type of aircraft. The average number of gallons of retardant dropped over the last five year period is 40 million gallons per year.

*Question 2.* In each of the last five years, how much water was delivered (in gallons dropped) by the multi-engine slurry bombers, the single engine slurry bombers, the heavy lift helicopters, the light and medium helicopters, and Canadian water and slurry bombers?

Answer. Data is not kept at the national level on the amount of water that is delivered to the numerous fires that occur on public lands. Reports can be pulled from AMIS (Aviation Management Information System) which could provide some information; however, the data would reflect only gallons dropped and in some cases helicopters are dropping a mixture of foam and water—not retardant. Please let us know if you would like these reports.

*Question 3.* On average, what is the daily cost of each of the following aircraft types (assuming you have them under long-term contract): multi-engine heavy bomber, single engine bombers, military Reserve C-130's, heavy lift helicopter, light and medium lift helicopters, and Canadian water and slurry bombers?

Answer.

Aircraft type	Average daily cost
Large Helicopters—Type 1 (EX) .....	\$8,500
Large Helicopters—Type 1 (CWN) .....	\$20,000
Medium Helicopter—Type 2 (EX) .....	\$2,900
Medium Helicopter—Type 2 (CWN) .....	\$5,470
Light Helicopter—Type 3 (All) .....	\$1,000
Single Engine Air Tankers (EX) .....	\$1,800
Single Engine Air Tankers (CWN) .....	\$1,800
Helitankers .....	\$8,500
MAFFS .....	\$10,000
Large Fixed Wing Airtankers .....	*\$9,400

\*Based on avg. daily avail. of \$4,000 with 2 hrs. flight time at \$2,70Whr.  
CWN—Call-When-Needed EX—Exclusive Use

*Question 4.* By aircraft or helicopter type, please provide the slurry capacity of each aircraft type that the agency has contracted in the last five years, or plans on contracting this year?

Answer.

Aircraft type	Maximum suppressant gallon capacity	Type of contract/agreement	# currently under contract/agreement
Lame Helicopters—Type 1 .....	2,000	EX/CWN	112
Medium Helicopter—Type 2 .....	700	EX/CWN	288
Light Helicopter—Type 3 .....	<300	EX/CWN	217
Single Engine Air Tankers .....	800	EX/CWN	70
Helitankers .....	2,000	EX	7
MAFFS .....	3,000	MOU	8
Large Fixed Wing Airtanker .....	2,550	EX	0

CWN—Call-When-Needed EX—Exclusive Use

*Question 5.* Please provide us data that compare and contrast the speed and range capabilities of the multi-engine slurry bombers, the single engine slurry bombers, the heavy lift helicopters, the light and medium helicopters, and Canadian water and slurry bombers.

Answer.

Aircraft type	Average speed	Range
Large Airtankers (including Canadian assets).	P2V=184 knots 3=240 knots .....	500 Nautical Miles

Aircraft type	Average speed	Range
Large Helicopters—Type 1 .....	80-120 knots .....	400 Nautical Miles
Medium Helicopter—Type 2 .....	98 knots .....	250 Nautical Miles
Light Helicopter—Type 3 .....	110 knots .....	300 Nautical Miles
Single Engine Air Tankers .....	150-170 knots .....	500 Nautical Miles
MAFFS .....	236 knots .....	1,500 Nautical Miles

*Question 6.* In the hearing you suggested that military reserve aircraft should be considered safe because the military has records on each aircraft and they continue to receive manufacturer's support. You also indicated that the FAA does not certify these aircraft. Why should we believe that the FAA is any more comfortable with these military aircraft, than they are with the privately contracted multi-engine aircraft?

Answer. The current military fleet has the history and baseline data on all of their aircraft. The commercial fleet does not have access to nor do they maintain this level of information on their aircraft. The FAA has no responsibility to oversee military aircraft operations. We cannot address concerns of the FAA.

*Question 7.* Why are the P2Vs and P-3 Orion's, which still receive manufacturer's support from Lockheed Martin, not certifiable? And why are the heavy lift helicopters of similar age certifiable?

Answer. These aircraft were not designed and built for specifically dropping fire retardant. In addition, the history of these aircraft, as mentioned previously, are not available for review to enable certification. Helicopters were built to lift and release materials and operate within the design intent.

*Question 8.* Please provide a map for the last two years that shows where the multi-engine slurry bombers were stationed during fire seasons. On that map indicate the working circle for each aircraft assuming a one hour transit time, and a two hour transit time from base to potential fires. If the aircraft were re-assigned during the year provide maps that show the new coverage areas as those planes were moved.

Answer. Attached are the maps showing location of airtanker bases. This is the information we have available.

*Question 9.* Please also provide us a map showing where the military reserve C-130's, heavy lift helicopters, and single engine slurry planes will be assigned this year, and what their one hour and two hour working circles are.

Answer. A map of this nature is not available this year as the resources will be under national mobilization procedures and will not be based at any one location at any given time. As national assets, they will be moved as necessary to meet fire needs.

*Question 10.* In both the Monday, May 10th briefing, and in the agencies' testimony on May 11th, it was stated that the primary mission for the multi-engine slurry bombers is initial attack and extended initial attack. Then you described using the heavy lift helicopters to perform this task and suggested that these helicopters could make six times the number of drops as the multi-engine planes. Isn't it true that in the past helicopters have not been used for initial attack, but have been utilized for crew support during extended initial attack and mop up?

Answer. Helicopters are routinely used for initial and extended attack. We conducted initial attack on 1,960 fires last year with USDA Forest Service exclusive use contract helicopters.

*Question 11.* Do any of the state fire fighting organizations utilize these multi-engine slurry bombers through state contracts, and what effect will this have on those state agencies that maintain their own aerial fire fighting assets?

Answer. Several states do contract for medium and large airtankers. The following interim guidance has been issued for use of state contracted airtankers.

- Federal lands not under State protection: Unauthorized airtankers will not be utilized.
- Federal lands under State protection: State may use State-contracted airtankers on federal lands, when the State has formal protection responsibility so long as the State maintains "operational control."

*Question 12.* If a state contracts for multi-engine slurry bombers, will they be allowed to send them to assist on federal fires?

Answer. See previous answer.

*Question 13.* On page 9 of the NTSB letter to the Secretaries the NTSB said. "Many of the aircraft used for public firefighting are also used for non-public (that is civil) flights, which are governed by FAA maintenance and airworthiness standards and are subject to FAA oversight. For example, some of the aircraft owned by

Hawkins and Powers that are under contract to the Forest Service or Bureau of Land Management and are therefore considered public aircraft (for approximately 3 months of the year) are used for civil operations (and are therefore subject to FAA oversight) during the remaining 9 months of the year." They then go on to prescribe the conditions and inspections that must be followed to keep these aircraft available for both public use and civilian use. They clearly did not recommend the grounding of these aircraft. Please provide additional information to the Committee that describes why you have decided to ground these aircraft and why you determined that developing an inspection program would be too difficult.

**Answer.** Aircraft that are certified by FAA for non-public (civil) use are under FAA oversight for that type of use. When these aircraft serve a dual purpose, the FAA certification only applies to the civil use. The public use of these aircraft for firefighting purposes as described in the NTSB report, are operating outside their design intent (i.e. were not designed for the stress of firefighting operations).

The owner operator is responsible for determining the airworthiness of aircraft. The NTSB report recommended that the land management agencies develop a maintenance and inspection program to determine airworthiness and to be responsible for the program. The Forest Service and the Department of the Interior, do not have the in-house expertise or funding to take over these inspection and maintenance responsibilities. We are working with the FAA to clarify the criteria, information or methodology needed before we could take any actions to restore any or all of the large airtankers to service. We are also asking for their assistance on defining what type of organizational structure and staff requirements would be needed to develop the expertise to manage this unique and complex program.

**Question 14.** In your testimony, in response to a question concerning the costs of adding additional heavy lift helicopters and single engine slurry bombers, you suggest it would cost an additional \$26 to \$46 million per year. What would it cost to put the inspection and oversight process in place to certify the 35 multi-engine bombers?

**Answer.** As described in the previous question, the Forest Service and DOI previously relied on the owner/operator to determine the airworthiness of aircraft. The land management agencies do not have the in-house expertise or funding to take over these inspection and maintenance responsibilities.

The Forest Service, the Bureau of Land Management worked with the FAA and the NTSB to evaluate options and methods for returning qualifying airtankers to service. To ensure the safety of these aircraft, the FS, BLM and FAA engineers established criteria and thresholds for decisions about returning aircraft to service.

There are three main areas of concern, all directly related to airworthiness in the firefighting environment, that need to be addressed

a. Current Condition of the Aircraft—related to inspections to provide baseline data on the condition of the aircraft.

b. Adequacy of the maintenance and inspection programs for continued airworthiness in the firefighting environment—the Phase 1 recommendations from Sandia National Laboratories were only meant to be a starting point for developing maintenance and inspection programs to prevent fatigue related structural failures. The NTSB recommendations established higher standards against which return to service decisions will be evaluated.

c. Operational life limit of aircraft—establishing a valid life limit and determining where each aircraft is in relation to its life limit. Some airtanker structures may already have exceeded this fatigue life limit from prolonged firefighting operations.

2. After the documentation is received on each aircraft, the Forest Service, BLM and FAA qualified Designated Engineering Representatives (DERs) will analyze the information to evaluate the airworthiness of the aircraft and make a recommendation as to its return to service.

That recommendation will be reviewed by the FAA for concurrence, and then forwarded to the NTSB for an opinion as to whether the documentation and analysis meet the intent of the safety recommendations issued April 23, 2004.

**Question 15.** Would it be possible to assign FAA and/or military aircraft inspection personnel to this task until such time as the Forest Service and DOI agencies develop these capabilities?

**Answer.** As we stated earlier, we are working with the FAA to clarify what criteria, information or methodology needed before we take any actions to restore any or all of the large airtankers to service. We are also asking for their assistance on defining what type of organizational structure and staff requirements would be needed to develop the expertise to manage this unique and complex program.

*Question 16.* When you convert to heavy lift helicopters, why won't the FAA and NTSB require that you develop a similar inspection program for the time that the heavy lift helicopters are in public-use status?

Answer. There is already a required FAA time-change inspection program for every helicopter that we contract. This program requires the replacement of rotor blades and critical components including the main rotor. Helicopters used for fire-fighting are operating within their design capabilities.

*Question 17.* After the Blue Ribbon Report the Forest Service and the Sandia Lab examined the maintenance records of all 33 or 35 multi-engine slurry aircraft and cleared them to continue flying last season. What specifically was found in those inspections that helped lead the agency to its decision to discontinue the use of these aircraft?

Answer. Inspections were completed by the operators following criteria that was developed by Sandia Labs and funded by the Forest Service. The agencies discontinued the use of large airtankers not because the inspections were not carried out, but rather because the NTSB determined the inspections were not adequate to assure safe operations.

#### ADDITIONAL QUESTIONS FROM SENATOR DOMENICI

*Question 1.* I need to better understand what the grounding of these fire bombers will mean to your efforts to fight fires this summer. Where will you find the heavy lift helicopters and single engine fire bombers to fill in?

Answer. The result of the loss of the airtanker fleet is the rapid response of air assets that can fly fast and cover large amount of territory and have national mobilization capability. Large airtankers were primarily used for initial attack and extended initial attack. Without the large airtankers our strategy will include greater prioritization for protection of high-value resources and the reliance on other aviation assets to maintain our aerial resource capability. There will be a greater reliance on single engine air tankers (SEATS), large and medium helicopters, state aviation assets, as well as MAFFS for the remainder of the fire season. On the many thousands of initial attack fires, airtankers are not generally used. Airtankers are used on less than 20% of all wildland fires. Additional assets are already under contract or are being added to exclusive use contracts as needs warrant it.

*Question 2.* How much more money will this cost, as compared to the cost of heavy bombers that you used to rely on?

Answer. Our estimates based on the National Multiagency Coordinating Group (NMAC) Aerial Operations Strategy for this season is that \$66.6 million (USDA Forest Service—\$48.0 million and Department of Interior land management agencies—\$18.6 million plus \$8 million for MACFFS to be shared by the agencies based on usage.) in additional costs will be required to acquire further aerial assets to supplement the loss of large airtankers.

*Question 3.* Do you expect to utilize more military C-130's this year? If the C-130's that the contractors provided are not safe why do we consider the military reserve aircraft that get called to the fires to be safe?

Answer. We will be utilizing up to eight military C-130 E and H model aircraft equipped with the Modular Airborne Firefighting System (MAFFS) as needed. The Department of Defense is responsible for airworthiness inspections and maintenance of these aircraft. The C-130E and H models are newer, more modern aircraft compared to the C-130A aircraft that have been used by contractors.

*Question 4.* Mr. Rey—last year you only burned 3.9 million acres and had only 63,000 fire starts (the lowest number since 1922) but your agency and the DOI agencies spent over \$1.2 billion. What specific steps have you taken to control your fire suppression costs?

Answer. The Administration shares your concern with the costs of wildfire suppression. With respect to planning for similar years, the Departments will continue to implement cost reduction actions stemming from two reports released in the Spring 2003 (Large Fire Cost Reduction Action Plan and the Fire and Aviation Management 2003 Operations Action Plan). Specific actions include:

- The Departments have established wildland fire cost oversight teams. We will continue to use large fire cost containment oversight teams on those incidents that meet certain size, cost, and duration criteria. The teams review the decisionmaking processes of large incidents. In September 2003, the teams released the *Consolidation of 2003 National and Regional Large Incident Strategic Assessment and Oversight Review Key Findings*. The report summarizes the key findings of the teams and makes recommendations to improve suppression cost containment and other wildfire management efforts. The Departments will im-

plement recommendations contained in the 2003 report and continue to conduct national cost containment reviews on selected incidents.

- The Departments are developing improved Decision Support Systems. Managers are clarifying the definition of the least cost suppression alternatives within decision support models and establishing this alternative as the default option for suppression activities for a given incident.
- The Departments are developing improved Fire Management Plans (FMPs). The improved FMPs will link updated geospatially-based fire management plans to the National Fire Plan Operations & Reporting System (NFPORS) database. This link will improve information manager's ability to predict more accurate wildfire conditions that will serve as the basis for a significant and measurable increase in the utilization of Wildland Fire Use fires, as appropriate.
- Following the findings of the Administration's Program Assessment Rating Tool (PART) the agency has focused on improved performance with cost containment studies.
- The Departments are working with their partners to develop a process through which rural fire department training, experience, and qualifications can be recognized as equivalent to National Wildfire Coordinating Group (NWCG) qualifications.
- Additionally, the President's Budget provides Department specific cost containment incentives, such as the Forest Service's authority to allocate no less than 50 percent of suppression funds to the field and providing for retention of unobligated balances to perform vegetative treatments.
- The President's Budget also includes cost containment actions and performance measures, expands the use of risk mitigation, updates fire management plans to increase wildland fire use, and implements suppression cost savings incentives. The Forest Service and DOI will also establish and use cost containment performance measures as well as actions, together with targets and milestones. These agencies will also review state cost share agreements to ensure that the Federal government is not paying a disproportionately high share of suppression costs.
- Finally, the President's Budget requires agencies to stratify wildfire incidents by scope and extent to provide a range of alternatives for each stratum on the basis of risk assessment together with guidance to line officers concerning the appropriate application of suppression resources for each stratum based on optimal wildfire risk mitigation. In this manner, appropriate resources will be allocated on the most efficacious manner.

The Departments of Agriculture and the Interior will continue to expand and enhance cost containment measures, such as those mentioned above. These improvements, however, only address the efficiency of fire suppression operations: not the fundamental cause of the extensive number and severity of wildfires over the last five years. We cannot contain wildfire suppression costs unless we address the cause of catastrophic large wildfires.

The most important cost containment effort is full implementation of the President's Healthy Forests Initiative (HFI). Implementation of the administrative and legislation tools of the HFI; Healthy Forests Restoration Act, Stewardship Contracting authority, new NEPA procedures and ESA regulations, amended regulations to the Appeals Reform Act, and government and agency guidance; work in tandem to achieve more effective and efficient fuel reduction. Together they are designed to restore our forests to healthy, natural conditions and assist in executing the core components of the National Fire Plan.

*Question 5.* How much money did you expend after October 1st on the California fires? Those costs will have to be paid out of this year's budget, isn't that correct?

Answer. Yes, the funds expended for the Southern California fires came out of the FY2004 Suppression accounts. State and Federal agencies spent \$157 million to control the fires in Southern California. Of the total, Forest Service funds amounted to \$86 million in suppression funds and \$11 million in Burned Area Rehabilitation Team (BAER) funds. A portion of these expenditures will be reimbursed by the State of California under agreements in place.

*Question 6.* If we have another 7 million acre fire year, how much additional funding will be needed to cover the cost of the extra heavy lift helicopters and single-engine slurry bombers that you are telling us will be needed to fill in for the heavy bombers?

Answer. Our estimate based on the National Multiagency Coordinating Group (NMAC) Aerial Operations Strategy for this season includes \$66.6 million in additional costs that will be required to acquire further aerial assets to supplement aerial firefighting capacity associated with the cancellation of large airtanker contracts.

*Question 7.* Over 1.3 million acres of prescribed burning (over 75% in the southeastern United States) in FY2004 and only 227,000 acres of mechanical fuel removal. How do we make progress on the overall healthy forest problem using that strategy?

Answer. We will continue to use the full range of options available to us to achieve our goal of restoring fire adapted ecosystems through the appropriate use of mechanical thinning, prescribed fire, wildland use fire and other programs. We have a highly effective and cost efficient program in the Southeast United States to maintain a vegetation regime that is fast growing and potentially a high fire hazard if it is not continually maintained. We currently spend \$33 million or 13% of the total hazardous fuels dollars available to us to accomplish 963,315 acres of hazardous fuels reduction in the SE. This is 60% of our total accomplished acres nationwide. We are targeting any increases in hazardous fuels funding towards hazardous fuel treatments in the Western states to achieve our goals. To achieve more acres treated with mechanical thinning, we will seek opportunities to treat acres through programs and projects such as stewardship contracting, biomass utilization and partnerships with other Federal agencies, tribes and local governments.

As illustrated in the following chart for FY 2003, average per acre costs for prescribed burns compare favorably with other costs:

Treatment/event type	Acres	Dollars spent	Cost per acre
Mechanical Treatments .....	201,394	\$82,435,100	\$409
Prescribed Burns .....	1,250,836	\$67,446,900	\$54
Wildfire Suppression .....	1,287,907	\$1,023,302,000	\$795
Wildland Fire Use .....	290,963	\$11,384,404	\$39

Our efforts are moving to develop a method that quantifies, in a more systematic way, the relative contributions of proposed hazardous fuels projects toward reducing wildfire risks compared to the costs of each project. This process would analyze tradeoffs between investments for fuels treatments and fire preparedness to achieve the most effective fire management program at any budget level. For WUI projects, the focus will be on lives and infrastructure risks. For projects outside the WUI, the focus will be on prioritizing areas based on their ecological significance and relative risk.

#### RESPONSES OF THE FOREST SERVICE TO QUESTIONS FROM SENATOR JEFF BINGAMAN

*Question 1.* How many National Forests currently have Wildland Fire Use plans in place and how many acres do they cover? Please provide the data for each National Forest by State.

Answer. Forty-five forests have Fire Management Plans allowing wildland fire use. See the attached table for a listing of forests (by state) with Fire Management plans allowing wildland fire use. The Fire Management Plans do not list the number of acres available for Wildland Fire Use.

*Question 2.* Will Wildland Fire Use be a required component of each National Forest's Fire Plan that will be updated by the end of the year? If not, what are the criteria that must be met to exclude Wildland Fire Use from a Fire Plan?

Answer. Wildland Fire Use is not a required component of each National Forest Fire Management Plan. There are no criteria "to exclude fire use" from a National Forest Fire Management Plan. At this time, each National Forest must make an individual decision on whether or not to incorporate Wildland Fire Use as an option for an Appropriate Management Response to a natural ignition. The decision to include or exclude wildland fire use should be part of the scoping and alternative development process in Forest Land and Resource Management Planning.

*Question 3.* What official Wildland Fire Use guidance and directives are available to Supervisors? Please provide copies.

Answer. Guidance for implementation of wildland fire use exists in the following interagency guide: *Wildland and Prescribed Fire Management Policy Implementation Procedures Reference Guide*. Dave Bunnell and Tom Zimmerman. 1998. Forest Service Manual 5140 provides additional direction on planning and implementation of wildland fire use.

*Question 4.* Is each unit required to keep uniform Wildland Fire Use statistics? If so, what statistics are kept, and are they compiled and published?

Answer. The National Fire Plan Operation and Reporting System (NFPORS), tracks acres of wildland fire use accomplished. Those fires managed for resource benefit are included in the wildfire reporting system (Form FS 5100-29), where the

lands burned are covered by a land use plan in which fire use has been integrated into the Forests Land Management Resource Plan. However, this system currently does not differentiate wildland fire use from all other wildfires. The Forest Service accounting system (FFIS) tracks expenditures for wildland fire use.

*Question 5.* How many acres of National Forest land was wildland fire used for resource benefits during each of the last ten years?

2003—290,963 acres  
 2002—65,687 acres  
 2001—60,672 acres  
 2000—37,889 acres  
 1999—33,891 acres  
 1998—48,432 acres

*Question 6.* What is the average cost per acre of mechanical fuel treatments, prescribed burns, emergency wildfire suppression, and Wildland Fire Use on National Forests?

Answer. For FY03 average per acre costs were:

Treatment/event type	Acres	Dollars spent	Cost per acre
Mechanical Treatments .....	201,394	\$82,435,100	\$409
Prescribed Burns .....	1,250,836	\$67,446,900	\$54
Wildfire Suppression .....	1,287,907	\$1,023,302,000	\$795
Wildland Fire Use .....	290,963	\$11,384,404	\$39

*Question 7.* What mechanisms are in place to coordinate Wildland Fire Use policies, plans, and information collection among the Forest Service and Department of the Interior land management agencies?

Answer. The Interagency Fuels Committee is working on aligning fire use policies among the Forest Service and Interior wildland management agencies. At this time only minor differences exist. These differences should be eliminated by 2005.

*Question 8.* How many dollars has the Forest Service spent specifically on carrying out Wildland Fire Use projects for each of the last 5 years?

FY03—\$11,384,404  
 FY02—\$4,156,325  
 FY01—\$2,815,600  
 FY00—\$893,917  
 FY99—\$330,047

*Question 9.* What is the Forest Service's plan to make up for the lost fire suppression capability resulting from the grounding of the large airtanker fleet?

Answer. The following table is the 2004 Interagency Plan to compensate for the 33 airtankers we terminated on May 10, 2004.

The plan reflects additional aerial assets that will remain dedicated to the fire-fighting mission through the fire season. Other assets remain available that will be called upon, as the fire danger conditions warrant.

This plan was developed with an objective to maintain an approximately-98% success rate on initial attack.

#### NUMBER (BY MONTH) AND ESTIMATED COST OF ADDITIONAL ASSETS

Asset type	June	July	August	September	Estimated cost
SEATs .....	46	39	43	36	\$8,992,800
T1 Helicopter .....	18	26	21	20	32,256,000
T2 Helicopter .....	33	45	33	24	12,384,000
T2 H-Seat offset .....	.....	12	3	.....	2,790,000
CL-215 .....	2	2	2	2	2,200,000
Air Attack Group Supervisor .....	.....	.....	.....	.....	1,200,000
MUFFS .....	(*)	(*)	(*)	(*)	8,000,000
Total Estimated Cost of Additional Assets .....	.....	.....	.....	.....	\$66,622,800

The total represents the amount needed for ALL agencies. The breakdown is:  
 \$40,000,000 of the total will be funded by USDA Forest Service  
 \$18,622,800 of the total will be funded by Department of Interior Bureaus

\$8,000,000 for MUFFS, will be committed to by the USDA Forest Service; actual charges will be based on the use by agency.

\*8 MAFFS units are available to be deployed as needed

#### COMPARATIVE DELIVERY CAPABILITY (AIR TANKERS VS. OTHER SUPPRESSANT DELIVERY RESOURCES)

Resource type	Average capacity	Change from 2003 fire season	Efficiency multiplier	Capacity in gallons per hour
Contract Airtankers .....	2500	(33)	1	82500
MAFFS .....	3000	<8>	1	24000
SEAT .....	650	16	1.5	15600
Helitanker .....	2000	5	6	60000
Large Helicopter .....	1000	17	6	102000
Medium Helicopter .....	250	11	6	16500

- The termination of the large airtanker contract produced a lost capacity of approximately 82,500 gallons per hour. MAFFS provided an additional 24,000 gallons per hour
- With the implementation of the Airtanker Replacement Strategy the gallons per hour (gph) capacity will be restored by 194,100 for net gain of 111,600 gph.
- The efficiency multiplier indicates the number of cycles to the fire that can be expected by the resource.

#### WILDLAND FIRE USE PLANS BY STATE AND FOREST

State	Forest	Wildland fire use plan (yes/no)
Alabama .....	National Forests of Alabama .....	No
Alaska .....	Chugach .....	No
	Tongass .....	No
Arizona .....	Apache-Sitgreaves .....	Yes
	Coconino .....	No
	Coronado .....	Yes
	Kaibab .....	Yes
	Prescott .....	No
	Tonto .....	Yes
Arkansas .....	Ouachita .....	No
	Ozark-St Francis .....	No
California .....	Angeles .....	No
	Cleveland .....	No
	Eldorado .....	Yes
	Inyo .....	Yes
	Klamath .....	Yes
	Lake Tahoe Basin MU .....	No
	Lassen .....	Yes
	Los Padres .....	No
	Mendocino .....	No
	Modoc .....	Yes
	Plumas .....	No
	San Bernadi .....	No
	Sequoia .....	Yes
	Shasta-Trinity .....	Yes
	Sierra .....	Yes
	Six Rivers .....	No
	Stanislaus .....	Yes
	Tahoe .....	Yes
Colorado .....	Arapaho and Roosevelt, Pawnee NG .....	Yes
	Grand Mesa, Uncompahgre, Gunnison .....	No
	Pike & San Isabel NF .....	No
	Rio Grande .....	Yes
	San Juan .....	Yes
	White River .....	Yes
Delaware		
Florida .....	Florida National Forests .....	Yes

## WILDLAND FIRE USE PLANS BY STATE AND FOREST—Continued

State	Forest	Wildland fire use plan (yes/no)
Georgia .....	Chattahoochee and Oconee .....	No
Hawaii .....		
Idaho .....	Boise .....	Yes
	Caribou-Targhee .....	Yes
	Clearwater .....	Yes
	Idaho Panhandle .....	No
	Nez Perce .....	Yes
	Payette .....	Yes
	Salmon-Challis .....	Yes
	Sawtooth .....	Yes
Illinois .....	Midewin .....	No
	Shawnee .....	No
Indiana .....	Hoosier .....	No
Iowa .....		
Kansas .....	Commanche NG .....	No
Kentucky .....	Daniel Boone .....	No
	Land Between the Lakes .....	No
Louisiana .....	Kisatchie .....	No
Maine .....	White Mountain—see NH .....	No
Maryland .....		
Massachusetts .....	National Forests in Mississippi .....	No
Mississippi .....	Hiawatha .....	No
Michigan .....	Huron-Manistee .....	No
	Ottawa .....	No
Minnesota .....	Chippewa .....	No
	Superior .....	Yes
Missouri .....	Mark Twain .....	No
Montana .....	Beaverhead-Deerlodge .....	Yes
	Bitterroot .....	Yes
	Custer .....	Yes
	Flathead .....	Yes
	Gallatin .....	Yes
	Helena .....	Yes
	Kootenai .....	No
	Lewis and Clark .....	Yes
	Lolo .....	Yes
Nebraska .....	Nebraska and Sam McKelvie NF .....	No
	Buffalo Gap, Fort Pierre and Oglala NG .....	No
Nevada .....	Humboldt-Toiyabe .....	No
New Hampshire .....	White Mountain .....	No
New Jersey .....		
New York .....	Green Mt and Finger Lakes—see VT .....	No
New Mexico .....	Carson .....	No
	Cibola .....	No
	Gila .....	Yes
	Lincoln .....	No
	Santa Fe .....	No
North Carolina .....	National Forests in North Carolina .....	No
North Dakota .....	Dakota Prairie Grasslands .....	No
Ohio .....	Wayne .....	No
Oklahoma .....		
Oregon .....	Deschutes .....	No
	Fremont-Winema .....	No
	Malheur .....	No
	Mt Hood .....	No
	Ochoco .....	No
	Rogue River and Siskiyou .....	No
	Siuslaw .....	No
	Umatilla .....	No
	Umpqua .....	No
	Wallowa-Whitman .....	Yes

## WILDLAND FIRE USE PLANS BY STATE AND FOREST—Continued

State	Forest	Wildland fire use plan (yes/no)
Pennsylvania .....	Willamette .....	No
	Allegheny .....	No
Puerto Rico .....	Caribbean .....	No
Rhode Island		
South Carolina .....	Francis Marion and Sumter .....	No
South Dakota .....	Black Hills .....	No
Tennessee .....	Cherokee .....	No
Texas .....	National Forests in Texas .....	No
Utah .....	Ashley .....	Yes
	Dixie .....	Yes
	Fishlake .....	Yes
	Manti-La Sal .....	Yes
	Uinta .....	Yes
	Wasatch-Cache .....	Yes
Vermont .....	Green Mountain and Finger Lakes .....	No
Virginia .....	George Washington and Jefferson .....	No
Washington .....	Colville .....	No
	Gifford Pinchot .....	No
	Mt Baker-Snoqualmie .....	No
	Okanogan and Wenatchee .....	Yes
	Olympic .....	No
West Virginia .....	Monongahela .....	No
Wisconsin .....	Chequamegon-Nicolet .....	No
Wyoming .....	Bighorn .....	No
	Bridger-Teton .....	Yes
	Medicine Bow and Routt NF .....	No
	Thunder Basin NG .....	No
	Shoshone .....	No

## RESPONSES OF THE FOREST SERVICE TO QUESTIONS FROM SENATOR MURKOWSKI

*Question 1.* With the recent announcement of the USDA Forest Service and the Department of the Interior to forgo the use of large fixed-winged contracted airtankers for fire suppression for the remainder of the 2004 fire season, what is the Administration doing to alleviate any possible impacts to fire fighting capabilities in the State of Alaska? What is each agency's on-the-ground plan to help the State? I would like a specific plan of action by each federal agency.

Answer. Specifically for the State of Alaska, the BLM has been authorized to order 2 CL-215s, one Single Engine Air Tanker (SEAT) and one medium helicopter to replace the capacity lost when the large airtankers became unavailable. States can continue to utilize on federal lands, the type of large airtankers that had been terminated on federal contracts, if the federal lands are under state suppression protection and as long as the state maintains operational control. We accept Canadian certification for the same "purpose built aircraft" we use such as the CL-215, 415 and AT-802s. What we are not accepting are the certifications of the same make/model of aircraft that were terminated under the federal large airtanker contract.

*Question 2.* Please explain why the Department of the Interior and the USFS do not utilize a five-year average to determine fire suppression costs and needs for upcoming fiscal years?

Answer. We have traditionally used the 10 year average to spread out fire suppression costs because they include more years of historical data that smooth out fluctuations in economic conditions from year to year. Truncating the data at a five-year point in time introduces bias into the calculation. This bias is particularly acute when the more limited five-year data represents on the one hand years with the highest cost suppression or on the other years with unusually low suppression costs. If we went to a five year average, the last few years have had high costs. But if we used the five-average following years of low costs, we would be significantly underfunding suppression. As a result, the five-year average produces wide ranges of variability that would actually support an appropriation request that either is much higher or much lower than what is needed.

*Question 3.* Please explain why is there not a greater priority for funding in the FY 2005 budget regarding restoration & rehabilitation work, work that is critical to avoid exorbitant costs of suppressing fires each year? The Rehabilitation and Restoration Program under the Wildland Fire Management Account is decreased for this Fiscal Year request.

Answer. The President's Budget proposes \$3.0 million dollars in FY 05 for Rehabilitation and Restoration. Critical rehabilitation work not covered by the Fire Rehabilitation budget line item in the Wildland Fire Management appropriation will be addressed by utilizing regularly appropriated funds and carryover funds from prior years including any funds that were appropriated for repayment of funds transferred for fire suppression. The critical rehabilitation and restoration work will be funded from several of the various National Forest System budget line items, Capital Improvement and Maintenance budget line items, as well as, from the Permanent Appropriations and Trust Funds. The \$3.9 million decrease from the FY 2004 enacted level is modest when compared to the \$445 million in rehabilitation work that the Forest Service has estimated will be funded through regularly appropriated funds.

#### RESPONSES OF THE FOREST SERVICE TO QUESTIONS FROM SENATOR AKAKA

Another fire season is approaching and I am concerned about adequate funding to enable fuels reduction projects to be completed and fire fighters to do their job on the ground. I am also concerned about the costs of outsourcing studies, because in FY 2004 the Forest Service spent \$72 million, according to analyses by the National Federation of Federal Employees; yet no funds were requested for outsourcing activities for FY 2005.

(1) As standard operating procedure, the USFS reprograms funding from other accounts and projects to cover the perpetually underfunded fire fighting accounts. I would like to know how much of the costs for the competitive sourcing studies and implementation come from projects or funding to fight or prevent fires, or from Healthy Forest Initiative funding.

If the answer is "no funds will be transferred"

(2) If NO FUNDS are to be reprogrammed from the aforementioned accounts, please provide information on which accounts and projects will have funds reprogrammed from them to reimburse the USFS for fire fighting activities, and an estimate of how much will be required from each account.

Answer. As reported in the 2005 Budget Justification, the Forest Service estimates a cost of \$16.3 million for Competitive Sourcing costs, not \$72 million as quoted by National Federation of Federal Employees.

Competitive sourcing studies and implementation are funded from a variety of sources depending on the work being studied. Work being studied that is defined as direct project work gets paid for out of the funds appropriated for that kind of project. Work being studied that is defined as indirect or administrative work gets charged to a pool of funds similar to Forest Service indirect costs. For example, Facility Maintenance studies were paid for out of Capital Improvement and Maintenance-Facilities funds. So far, fire fighting has not been studied and firefighting funds have not been used for any studies completed to date. The Investment Technology (IT) study, which is still underway, has been based on a formula which assigns costs to programs in proportion to direct permanent FTEs. As a result, fire preparedness funding, hazardous fuels funds and programs associated with Healthy Forests Initiative were used to pay for the IT study. Fire fighting funds are excluded from costs pools and from the IT study. The total cost for the IT study and the amount paid from various programs is not yet known.

It is not possible to say with certainty whether funds will be transferred for Fire Fighting activities this year as it is dependent on the severity of the fire season and whether the appropriated funds will be sufficient for the needs. We have not yet identified areas from which fire suppression funds would be transferred from for this fiscal year.

